

Agenda

Environmental Protection Commission

March 17, 1997

10:00 AM

Wallace State Office Building, Fourth Floor Conference Room

Public Participation

10:30 A.M.

Agenda topics

1. Approve Agenda
2. Approve Minutes of February 17, 1997
3. Monthly Financial Status Report Stan Kuhn (Information)
4. Landfill Alternatives Financial Assistance Program - Composting Initiative Applications Received & Selected Teresa Hay (Information)
5. Landfill Alternatives Financial Assistance Program Contracts Teresa Hay (**Decision**)
6. Food Wastes Data Base Contract Teresa Hay (**Decision**)
7. Other States Solid Waste Funding Information Teresa Hay (Information)
8. Monthly Reports Allan Stokes (Information)
9. Air Quality Program Status Update Allan Stokes (Information)
10. Air Quality Budget - SFY 1998 Allan Stokes (Information)
11. Final Rule--Chapters 20 & 22, Potential to Emit for Emergency Generators Allan Stokes (**Decision**)
12. Final Rule--Chapters 22 & 23, Air Quality Amendments Allan Stokes (**Decision**)
13. Legislation Report Don Paulin (Information)
14. General Discussion
15. Address Items for Next Meeting

Next Meeting Dates

April 21, 1997

May 19, 1997

ENVIRONMENTAL PROTECTION COMMISSION

Monday, March 17, 1996

NAME

COMPANY OR AGENCY

CITY

(PLEASE PRINT)

JANE McALLISTER

AHLERS LAW FIRM

DSM

MICHAEL BERKSHIRE

BLUESTEM SNA

CEDAR RAPIDS

MICHAEL FERRETER

CEDAR RAPIDS GAZETTE

C.R.

Meghan Anderson

Iowa Poultry Assn.

AMES.

KERMIT MISKELL

SELF

STORY CITY

Cathy Woollums

MidAmerican Energy Co. Davenport

Amy Christensen

Sullivan & Ward

Des Moines

STEVE QUER

IES Industries

C.R.

Aaron Heley Lehman

Iowa Farmers Union

AMES

Perry Beemer

DMR

DM

Blaine Kieker

C.P.E.

Champion

Rebecca Cole

Liz Gilbert

Jewell
Hawa Falls

Phil Lehman

Farmer

Slater, Inc.

Eugene Henderson

IDED

DSM

Linda King

IDED

DSM

Krista Hirschman

CA/O

DSM

ENVIRONMENTAL PROTECTION COMMISSION

March 17, 1997

NAME

COMPANY OR AGENCY

CITY

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HELENE F MAHLER

SIERRA CLUB

Dm

CHRIS GAULT

FARM BUREAU

Dsm

Catherine HUGGINS

Metro Waste Authority

DSM

JERRY FLEAGLE

BEAUTIFUL LOAN RECYCLING

WLO

Dale Brentnall

Ind Div. Isaac
Washington League

Ames

Chris Hess

U.S. EPA

ISC

JIM LEMONS

BROWN ENG

Dm

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MINUTES
OF THE
ENVIRONMENTAL PROTECTION COMMISSION
MEETING

MARCH 17, 1997

WALLACE STATE OFFICE BUILDING
DES MOINES, IOWA

TABLE OF CONTENTS

Call to Order.....	1
Members Present	1
Members Absent.....	1
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Adoption of Agenda.....	1
APPROVED AS AMENDED.....	1
Approval of Minutes	1
APPROVED AS AMENDED.....	2
Financial Status Report - YTD Division Expenditures	2
INFORMATIONAL ONLY	6
Landfill Alternatives Financial Assistance Program - Composting Initiative Applications	
Received and Selected	6
INFORMATIONAL ONLY	15
Landfill Alternatives Financial Assistance Program Contracts	15
Tim Hall.....	20
Kevin Watchie.....	20
Mike Berkshire.....	20
APPROVED AS PRESENTED.....	21
Public Participation.....	21
Blaine Nickles (HF 519 rules)	21
Aaron Heley-Lehman (ACCO recommendations on HF 519).....	22
Rebecca Cole (HF 519 rules).....	22
Liz Gilbert (ACCO proposals on HF 519)	22
Kermit Miksell (large hog confinements)	23
Food Wastes Data Base Contract	23
APPROVED AS PRESENTED.....	25
Solid Waste Funding Information - Other States	26
INFORMATIONAL ONLY	31
Monthly Reports	31
INFORMATIONAL ONLY	53
Legislation Report	53
INFORMATIONAL ONLY	54

Air Quality Program Status Update.....	54
INFORMATIONAL ONLY	54
Air Quality Budget - SFY 1998	54
INFORMATIONAL ONLY	55
Final Rule--Chapters 20 and 22, Potential to Emit for Emergency Generators	55
APPROVED AS PRESENTED.....	58
<hr/>	
Final Rule--Chapters 22 and 23, Air Quality Amendments	58
APPROVED AS PRESENTED.....	73
General Discussion	73
OTAG.....	73
Joint Meeting with Board of Health.....	73
Metro Waste Authority.....	74
Other Issues.....	75
Next Meeting Dates	75
Adjournment.....	75

MEETING MINUTES

CALL TO ORDER

The meeting of the Environmental Protection Commission was called to order by Chairperson King at 10:00 a.m. on Monday, March 17, 1997, in the Wallace State Office Building, Des Moines, Iowa.

MEMBERS PRESENT

William Ehm
Rozanne King, Chair
Dean McWilliams
Charlotte Mohr, Secretary
Gary Priebe, Vice-Chair
Terrance Townsend
Rita Venner

MEMBERS ABSENT

Verlon Britt
Kathryn Murphy

Kathryn Murphy noted last month that she has a conflicting engagement and will not be at this meeting.

ADOPTION OF AGENDA

The following adjustments were made to the agenda:

- Add: General Discussion - OTAG Update
- Add: General Discussion - Report on Meeting with Board of Health

Motion was made by William Ehm to approve the agenda as amended. Seconded by Terrance Townsend. Motion carried unanimously.

APPROVED AS AMENDED

APPROVAL OF MINUTES

Charlotte Mohr noted that on Page 50, the reference to Mike Carrier's participation in the Walcott meeting should state "written testimony" rather than "remarks".

Motion was made by Charlotte Mohr to approve the meeting minutes of February 17, 1997, as amended. Seconded by William Ehm. Motion carried unanimously.

APPROVED AS AMENDED

FINANCIAL STATUS REPORT - YTD DIVISION EXPENDITURES

Stan Kuhn, Division Administrator, Administrative Services Division, presented the following item.

Attached is the 2/28/97 YTD division-level expenditure status report..

Notes are appended to each division's status report regarding significant issues. Particularly in the Fish and Wildlife division and Parks division, variable cost expenditures, primarily seasonal help, supplies and equipment will be monitored closely by division management to remain within budget limits.

The YTD budget estimates are based on typical expenditure patterns. Some line items, such as salaries, vehicle operations, communications and utilities occur in a predictable manner. Thus, these YTD estimates should be fairly close to actual expenditures. Other line items, such as equipment, maintenance, and printing are more variable. For these, actual expenditures will, sometimes, vary considerably from the budget estimate. Operational expenditures should be at or near 64% as of 2/28/97. Caution should be exercised when examining the Professional Services category. Expenditures shown are on a "cash" basis and, thus, do not reflect contractual obligations.

DIRECTOR'S OFFICE/I&E BUREAU

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 2/28/97	YTD Actual 2/28/97	Under (Over)
PERS SERV	977,916	1,179,858	766,908	677,137	89,771
PERS TRV IN	32,944	55,114	32,131	25,328	6,803
STATE VEHICL	3,897	7,791	5,197	3,622	1,575
VEHICLE LEASE	8,220	12,640	8,431	5,535	2,896
PERS TRV OUT	11,348	12,946	7,548	5,547	2,001
OFF SUPPLY	75,192	79,500	46,349	68,131	(21,783)
FAC MAINT SU	3,197	13,000	7,579	2,943	4,636
EQUIP MAINT	3,638	6,850	3,994	1,383	2,611
OTHER SUPPLY	73,889	104,950	61,186	59,465	1,721
PRINT & BIND	293,328	349,044	115,185	116,625	(1,440)
UNIFORMS	1,442	2,150	1,253	448	805
COMMUNICATIO	26,777	29,800	17,373	19,272	(1,899)
RENTALS	4,470	3,700	2,157	2,214	(57)
UTILITIES	229	750	437	148	289
PROF SERV	33,296	50,060	29,185	24,363	4,822
OUTSIDE SERV	73,860	46,619	27,179	41,025	(13,846)
ADVER PUB	0	5,000	2,915	0	2,915
DP-MAINFRAME	4,746	13,350	7,783	1,075	6,708
REIMBURSEMENT	796	525	306	512	(206)
EQUIPMENT	39,413	41,600	31,200	15,974	15,226
EQUIP NONINV	3,374	5,167	3,875	3,079	796
OTHER	551	2,650	1,545	902	643
	1,672,523	2,023,064	1,179,715	1,074,728	104,987

Note: Office Supplies is over budget in the Aquatic Education and Publications cost centers.

ADMINISTRATIVE SERVICES DIVISION

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 2/28/97	YTD Actual 2/28/97	Under (Over)
PERS SERV	3,579,613	3,864,278	2,511,781	2,375,301	136,480
PERS TRV IN	45,609	55,750	32,502	23,068	9,434
STATE VEHICL	56,635	56,000	37,352	43,287	(5,935)
VEHICLE LEASE	69,430	79,500	53,027	45,240	7,787
PERS TRV OUT	6,519	12,000	6,996	3,287	3,709
OFF SUPPLY	342,869	340,200	198,337	153,111	45,226
FAC MAINT SU	1,150	15,500	9,037	359	8,678
EQUIP MAINT	48,882	52,000	30,316	29,324	992
OTHER SUPPLY	8,190	10,400	6,063	2,289	3,774
PRINT & BIND	23,443	23,500	13,701	13,827	(127)
UNIFORMS	3,464	3,000	1,749	2,183	(434)
COMMUNICATIO	108,666	117,100	68,269	53,910	14,359
RENTALS	1,008	500	292	0	292
PROF SERV	52,227	70,000	38,500	0	38,500
OUTSIDE SERV	81,237	64,500	37,604	72,222	(34,619)
ADVER PUB	528	500	292	145	147
DP-MAINFRAME	44,724	52,800	30,782	37,350	(6,568)
AUDITOR REIM	171,789	175,000	87,500	108,460	(20,960)
REIMBURSEMENT	156,555	152,750	89,053	80,020	9,033
EQUIPMENT	207,600	175,100	131,325	139,400	(8,075)
EQUIP NONINV	11,726	6,000	4,500	11,890	(7,390)
OTHER EXP	7,750	63,732	37,156	7,606	29,550
	5,029,614	5,390,110	3,426,131	3,202,279	223,852

Note: Vehicle Operations is over budget due to use of this account to pay unbudgeted federal gas tax. This overage will be reduced upon receipt of the related refunds. Outside Services is over due to the use of temporary help in several vacant positions and within Construction Services to assist with CCC project design. The temp help expenditures are being more than offset by a compensating surplus in the salary line item.

PARKS, PRESERVES AND RECREATION DIVISION

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 2/28/97	YTD Actual 2/28/97	Under (Over)
PERS SERV	4,503,676	4,692,353	3,050,029	3,034,690	15,339
SEASONAL WORKERS	1,361,773	1,330,264	811,461	844,013	(32,552)
PERS TRV IN	74,702	73,050	42,588	31,354	11,234
STATE VEHICL	193,493	201,300	134,267	172,053	(37,786)
VEHICLE LEASE	249,875	298,400	199,033	170,012	29,021
PERS TRV OUT	4,946	6,200	3,615	5,733	(2,118)
OFF SUPPLY	43,613	44,000	25,652	27,576	(1,924)
FAC MAINT SU	567,338	513,830	272,330	413,347	(141,017)
EQUIP MAINT	386,151	342,000	181,260	233,729	(52,469)
AG CONS SUPP	27,246	34,500	18,285	13,025	5,260
OTHER SUPPLY	45,807	40,600	21,518	19,497	2,021
PRINT & BIND	65,367	32,500	18,948	6,848	12,100
UNIFORMS	37,039	34,577	20,746	33,785	(13,039)
COMMUNICATIO	100,133	111,000	64,713	67,045	(2,332)
RENTALS	41,037	42,550	22,552	32,137	(9,586)
UTILITIES	473,985	454,000	240,620	313,888	(73,268)
PROF SERV	53,409	51,784	30,190	17,221	12,969
OUTSIDE SERV	227,655	206,500	109,445	130,772	(21,327)
ADVER PUB	1,963	1,050	612	422	190
DP-MAINFRAME	2,140	5,000	2,915	876	2,039
REIMBURSEMENT	10,573	7,375	4,300	5,782	(1,482)
EQUIPMENT	226,828	248,536	186,402	229,617	(43,215)
EQUIP NONINV	16,399	800	600	19,680	(19,080)
OTHER EXP	432	700	408	260	148
LICENSES	1,145	697	406	1,050	(644)
	8,716,725	8,773,566	5,462,895	5,824,412	(361,517)

Note: Division expenditures continue to be over budget due to vehicle fuel costs and facility/equipment maintenance needs. This will have to be offset by decreased supply, maintenance and seasonal worker expenditures throughout the remainder of the fiscal year.

FORESTS AND FORESTRY DIVISION

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 2/28/97	YTD Actual 2/28/97	Under (Over)
PERS SERV	1,802,802	1,877,565	1,220,417	1,178,405	42,012
SEASONAL WORKERS	87,467	122,362	74,641	42,529	32,112
PERS TRV IN	41,920	41,200	24,020	25,743	(1,723)
STATE VEHICL	66,912	77,500	51,693	53,999	(2,307)
VEHICLE LEASE	118,585	136,500	91,046	76,555	14,491
PERS TRV OUT	5,167	11,500	6,705	3,998	2,707
OFF SUPPLY	28,570	19,000	11,077	10,470	607
FAC MAINT SU	38,187	35,500	20,697	27,589	(6,893)
EQUIP MAINT	55,993	55,500	32,357	33,066	(710)
AG CONS SUPP	78,354	74,000	43,142	52,731	(9,589)
OTHER SUPPLY	21,580	38,000	22,154	14,440	7,714
PRINT & BIND	13,751	21,500	12,535	15,892	(3,358)
UNIFORMS	11,716	13,000	7,579	9,253	(1,674)
COMMUNICATIO	48,783	48,500	28,276	26,569	1,707
RENTALS	39,879	43,000	25,069	21,598	3,471
UTILITIES	32,136	31,000	18,073	18,496	(423)
PROF SERV	14,291	1,500	875	0	875
OUTSIDE SERV	72,153	53,500	31,191	25,554	5,637
ADVER PUB	289	500	292	110	182
DP-MAINFRAME	1,248	1,500	875	511	364
REIMBURSMENT	1,018	300	175	225	(50)
EQUIPMENT	39,392	66,285	49,714	77,390	(27,676)
EQUIP NONINV	1,192	9,574	7,181	2,890	4,291
OTHER EXP	42	0	0	71	(71)
	2,621,427	2,778,786	1,779,777	1,718,084	61,693

Note: Expenditures are over budget in several categories due to seasonal purchase of maintenance and supply items. Equipment is slightly over budget, but, with possible minor exceptions, equipment purchases have been completed for the fiscal year.

ENERGY & GEOLOGICAL RESOURCES DIVISION

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 2/28/97	YTD Actual 2/28/97	Under (Over)
PERS SERV	2,327,252	2,659,970	1,728,981	1,600,952	128,029
PERS TRV IN	23,745	40,168	23,418	9,932	13,486
STATE VEHICL	12,539	15,000	10,005	12,364	(2,359)
VEHICLE LEASE	12,230	14,000	9,338	4,695	4,643
PERS TRV OUT	42,688	74,336	43,338	23,216	20,122
OFF SUPPLY	30,382	34,858	20,322	18,135	2,187
FAC MAINT SU	623	1,500	875	364	511
EQUIP MAINT	1,837	3,200	1,866	1,054	812
PROF SUPPLY	1,465	1,434	836	31	805
OTHER SUPPLY	27,174	54,953	32,038	23,280	8,758
PRINT & BIND	36,466	54,573	31,816	7,412	24,404
UNIFORMS	1,321	1,300	758	15	743
COMMUNICATIO	40,490	41,350	24,107	20,225	3,882
RENTALS	2,112	2,500	1,458	2,374	(917)
UTILITIES	20,858	19,000	11,077	9,190	1,887
PROF SERV	943,476	1,129,990	621,495	336,159	285,336
OUTSIDE SERV	79,584	258,909	150,944	70,418	80,526
ADVER PUB	933	2500	1,458	345	1,113
OUT REPAIRS	14	500	292	422	(131)
DP-MAINFRAME	5,661	7,886	4,598	2,035	2,563
REIMBURSMENT	10,714	11,635	6,783	6,003	780
EQUIPMENT	160,016	148,767	111,575	61,175	50,400
EQUIP NONINV	11,516	21,854	16,391	4,108	12,283
OTHER	4843	5,762	3,359	4,515	(1,156)
	3,797,939	4,605,945	2,857,124	2,218,419	638,705

Note: Professional Services accounts for the majority of the budget surplus and results from lower than anticipated expenditures to date in several federally funded programs. Actual expenditures to date are significantly under budget in several support categories, but are similar to expenditure status at the same point last fiscal year.

ENVIRONMENTAL PROTECTION DIVISION

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 2/28/97	YTD Actual 2/28/97	Under (Over)
PERS SERV	8,780,016	10,642,911	6,917,892	6,174,202	743,690
PERS TRV IN	57,078	162,757	94,887	38,868	56,019
STATE VEHICL	39,981	58,550	39,053	38,014	1,039
VEHICLE LEASE	57,410	88,500	59,030	49,780	9,250
PERS TRV OUT	93,312	288,582	168,243	71,553	96,690
OFF SUPPLY	119,597	157,914	92,064	97,955	(5,891)
FAC MAINT SU	5,328	5,670	3,306	2,405	901
EQUIP MAINT	21,496	21,700	12,651	12,537	114
PROF SUPPLY	0	1,250	729	658	71
OTHER SUPPLY	14,901	39,684	23,136	20,410	2,726
PRINT & BIND	89,826	146,841	85,608	42,980	42,628
UNIFORMS	5,595	9,100	5,305	4,623	682
COMMUNICATIO	198,490	312,950	182,450	116,414	66,036
RENTALS	117,346	513,800	299,545	329,294	(29,749)
UTILITIES	23,352	24,400	14,225	15,437	(1,212)
PROF SERV	3,944,014	5,409,124	2,975,018	1,754,048	1,220,970
OUTSIDE SERV	79,547	171,400	99,926	109,257	(9,331)
ADVER PUB	8,310	11,626	6,778	6,045	733
DP-MAINFRAME	170,417	226,437	132,013	56,955	75,058
REIMBURSEMENT	57,442	64,500	37,604	41,291	(3,688)
EQUIPMENT	1,759,294	2,011,357	1,508,518	1,303,606	204,912
EQUIP NONINV	43,927	37,765	28,324	46,663	(18,339)
OTHER EXP	19,599	15,750	9,182	25,821	(16,639)
	15,706,278	20,422,568	12,795,487	10,358,816	2,436,671

Note: The apparent budget surplus is due primarily to vacancies and professional services. The division's vacancy factory, on an annualized basis is 13.8% with the Air Bureau's rate at 22.5%. The budget surplus in professional services relates primarily to the Air To-Date expenditure being at 32% of the budgeted \$2.7 million. The Water Quality Bureau's professional service expenditure to date is 42.6% of the budgeted \$1.9 million with most of that occurring in the 319 planning and federally funded flood studies.

FISH AND WILDLIFE DIVISION

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 2/28/97	YTD Actual 2/28/97	Under (Over)
PERS SERV	12,402,330	12,946,097	8,414,963	8,485,303	(70,340)
SEASONAL WORKERS	805,914	837,412	510,821	533,966	(23,145)
PERS TRV IN	350,926	363,240	211,769	211,716	53
STATE VEHICL	506,847	512,700	341,971	419,299	(77,328)
VEHICLE LEASE	707,360	757,696	505,383	459,850	45,533
PERS TRV OUT	37,513	51,400	29,966	30,660	(694)
OFF SUPPLY	266,399	254,818	148,559	170,763	(22,204)
FAC MAINT SU	336,977	453,707	264,511	208,761	55,750
EQUIP MAINT	480,781	353,036	205,820	294,910	(89,090)
PROF SUPPLY	0	10,000	5,830	0	5,830
AG CONS SUPP	319,951	393,858	229,619	139,313	90,306
OTHER SUPPLY	193,323	113,077	65,924	142,544	(76,620)
PRINT & BIND	338,250	313,989	183,056	260,702	(77,646)
UNIFORMS	136,027	132,125	79,275	105,606	(26,331)
COMMUNICATIO	296,015	301,600	175,833	195,926	(20,093)
RENTALS	59,319	65,160	37,988	32,535	5,453
UTILITIES	234,382	242,216	141,212	153,023	(11,811)
PROF SERV	361,161	385,666	212,116	213,751	(1,635)
OUTSIDE SERV	175,192	171,862	100,196	77,478	22,718
ADVER PUB	4,349	23,600	13,759	366	13,393
DP-MAINFRAME	86,521	64,000	37,312	59,427	(22,115)
REIMBURSEMENT	82,648	120,751	70,398	30,703	39,695
EQUIPMENT	696,546	765,135	573,851	321,631	252,220
EQUIP NONINV	76,387	102,875	77,156	53,074	24,082
OTHER EXP	40,817	44,353	25,858	39,458	(13,600)
LICENSES	217	300	175	0	175
	18,996,152	19,780,673	12,663,321	12,640,765	22,556

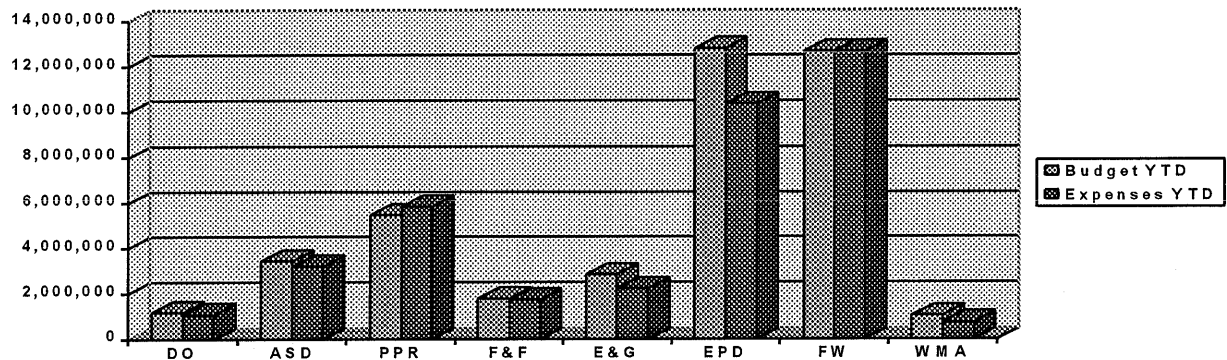
Note: Within the division, the Enforcement bureau is over budget and the Fisheries and Wildlife bureaus are under budget. On a weighted averaged basis, expenditures should be at 64%. Enforcement is at 68%, with Fisheries and Wildlife at 62.4%.

WASTE MANAGEMENT ASSISTANCE DIVISION

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 2/28/97	YTD Actual 2/28/97	Under (Over)
PERS SERV	772,841	897,571	583,421	532,115	51,306
PERS TRV IN	28,797	60,855	35,478	28,688	6,790
STATE VEHICL	0	0	0	48	(48)
PERS TRV OUT	20,579	37,505	21,865	11,893	9,972
OFF SUPPLY	13,475	60,172	35,080	20,250	14,830
EQUIP MAINT	1,192	915	533	494	39
OTHER SUPPLY	34,090	13,270	7,736	20,318	(12,582)
PRINT & BIND	43,742	109,393	63,776	26,793	36,983
UNIFORMS	28	0	0	0	0
COMMUNICATIO	15,567	20,000	11,660	7962	3,698
RENTALS	776	4,390	2,559	935	1,624
PROF SERV	62,065	392,413	215,827	44137	171,690
OUTSIDE SERV	8,855	11,835	6,900	5255	1,645
ADVER PUB	8,101	12,475	7,273	5120	2,153
DP-MAINFRAME	2,737	3,900	2,274	1095	1,179
REIMBURSEMENT	33,075	59,870	34,904	14,412	20,492
EQUIPMENT-LARGE	34,166	12,610	9,458	5,152	4,306
EQUIPMENT-SMALL	1136	4964	3,723	1883	1,840
OTHER	5,628	6,700	3,906	5992	(2,086)
	1,086,850	1,708,838	1,046,375	732,542	313,833

Note: The budget surplus results from expenditures for Professional Services being significantly under budget in the Planning Grants and Waste Reduction cost centers. Similarly, the categories of Printing and Office Supplies are significantly under budget in the Househouse Hazardous Waste cost center.

DNR Division Level Expenditure/Budget Status, 2/28/97



Mr. Kuhn presented the reports for each division.

Brief discussion followed.

Mr. Kuhn noted that in the future he will report on what is happening with the budget rather than specifically on spending.

INFORMATIONAL ONLY

LANDFILL ALTERNATIVES FINANCIAL ASSISTANCE PROGRAM - COMPOSTING INITIATIVE APPLICATIONS RECEIVED AND SELECTED

Teresa Hay, Division Administrator, Waste Management Assistance Division, presented the following item.

The Landfill Alternatives Financial Assistance Program -- Composting Initiative is intended to assist Iowa's solid waste planning areas achieve the 50 percent reduction goal by reducing the amount of organic solid waste landfilled in Iowa and by developing and expanding markets for finished compost. The Composting Initiative targets landfill diversion projects involving composting of organic materials **other than or in addition to yard wastes, animal wastes, and/or biosolids** (municipal sewage sludge), and compost market development projects.

This Composting Initiative provides financial assistance to implement composting programs; to expand existing composting facilities and the types of materials accepted for composting; and to develop, improve and expand markets for finished compost.

Waste Management Assistance Division planning activities and discussions with solid waste officials have indicated that composting the organic waste stream will play a major role in solid waste planning areas meeting the 50 percent waste reduction goal. An advisory committee was established to assist in the development of this Composting Initiative. Serving on the advisory committee are representatives of the Iowa Recycling Association, Iowa Society of Solid Waste Operations, Iowa State University Extension, Iowa Department of Agriculture and Land Stewardship, Iowa Department of Economic Development, Recycling Economic Development Advocate, Iowa Water Pollution Control Association, Iowa League of Cities, Iowa State Association of Counties, United States Environmental Protection Agency Region VII, and the Environmental Protection Division - Iowa Department of Natural Resources.

The Composting Initiative was developed with a preference for *regional projects*. *Regional projects* involve three (3) or more Iowa counties; serve a population of 100,000 or more; and/or process 30,000 tons or more of compostable materials per year or annually process ten (10) percent of the solid waste currently landfilled in a proposed project's service area. Through the cooperative provision of solid waste management services, a project may have a significant influence on such factors as operational efficiency, landfill diversion, and finished compost marketability and market value. Expanded market development for finished compost is necessary to ensure successful organic solid waste landfill diversion.

The Landfill Alternatives Financial Assistance Program -- Composting Initiative commenced with the Request For Proposals due February 3, 1997 and ceases with the August 7, 2000 application deadline. The last funding round coincides with the 50 percent reduction goal. Up to \$750,000 will be made available per funding round (\$1.5 million per fiscal year) to award to one or more selected applicants. An upper limit per award or per applicant has not been established. However, an applicant cannot be awarded an amount exceeding the available funding in the round in which the application is received. The Department reserves the right to not award all of the moneys set aside for this Composting Initiative in any given round or in total, and to terminate the Composting Initiative at any time prior to the last scheduled funding round. Moneys not awarded during any given round revert to the general Landfill Alternatives Financial Assistance Program fund. Grants and combination grant and loan awards are available

depending on the project type. Applicants must provide a local cost share of 35 percent of the project's total cost.

Eligible applications/projects must result in landfill diversion through composting, including vermicomposting, of materials other than or in addition to yard wastes, animal waste, and/or biosolids (municipal sewage sludge).

Research and Development Projects involve the research and development of new composting technologies including but not limited to equipment, methodology, and materials. Research and development projects are grant eligible.

Demonstration Projects involve the use of existing composting technologies for the first time in Iowa including, but not limited to, equipment, methodology and materials. Demonstration projects are grant eligible.

Market Development Projects have as the primary focus, developing new or expanded markets for finished compost and other value-added compost products. Projects proposing to expand the materials currently composted without significantly altering the finished composting product or expanding compost markets, as determined by the Department, are not eligible for funding assistance under this project category. Market development projects are grant eligible.

Combination Grant and Loan Projects are projects that do not fit any of the above project categories. Projects funded under this category are eligible to receive a combination grant and zero interest loan for eligible project expenses. Grant funds are awarded for the first \$150,000 of Department approved eligible costs and zero interest loan assistance for the remainder of the award..

Applicants for financial assistance through the Composting Initiative are required to discuss the potential and describe the use of recycled-content products in their proposed projects. The Buy Recycled Iowa Campaign promotes the practice of purchasing recycled-content products by local governments, businesses, and industry as a means of "closing the recycling loop."

Applications were reviewed by a four person team comprised of two representatives from the Iowa Composting Advisory Committee, one each from the United States Environmental Protection Agency Region VII and the Iowa Department of Agriculture and Land Stewardship and two persons from the Waste Management Assistance Division. The Iowa Composting Advisory Committee unanimously endorsed the application review team's recommendations for funding at their February 26, 1997 meeting.

A program summary is attached for the Commission's information. Also attached, is a summary of applications received and applications selected for funding. It is anticipated that contracts for selected projects will be presented for approval at the Commission's April 21, 1997 meeting.

LANDFILL ALTERNATIVES FINANCIAL ASSISTANCE PROGRAM -- COMPOSTING INITIATIVE

Goal	To assist Iowa's solid waste planning areas achieve the 50 percent reduction goal by reducing the amount of organic solid waste landfilled in Iowa and by developing and expanding markets for finished compost.								
Purpose	To provide financial assistance to implement composting programs; to expand existing composting facilities and the types of materials accepted for composting; and to develop, improve and expand markets for finished compost.								
Applicants	Any unit of local government, public or private group, business or individual with an interest in or having responsibility for solid waste management in Iowa and is currently in compliance with all applicable Department statutes and regulations.								
Eligible Application/ Project Types	<p>To be considered eligible, projects must result in landfill diversion through the composting, including vermicomposting, of materials other than or in addition to yard wastes, animal waste, and/or biosolids (municipal sewage sludge).</p> <table> <tr> <td data-bbox="508 1024 750 1100">Research and Development</td><td data-bbox="773 1024 1557 1134">Projects involving the research and development of new composting technologies including but not limited to equipment, methodology, and materials are grant eligible.</td></tr> <tr> <td data-bbox="508 1176 723 1209">Demonstration</td><td data-bbox="773 1176 1557 1327">Projects involving the use of existing composting technologies for the first time in Iowa including, but not limited to, equipment, methodology and materials are grant eligible.</td></tr> <tr> <td data-bbox="508 1369 700 1444">Market Development</td><td data-bbox="773 1369 1557 1671">Projects of which the primary focus is developing new or expanded markets for finished compost and other value-added compost products are grant eligible. Projects proposing to expand the materials currently composted without significantly altering the finished composting product or expanding compost markets, as determined by the Department, are not eligible for funding assistance under this project category.</td></tr> <tr> <td data-bbox="508 1713 750 1822">Combination Grant and Loan Projects</td><td data-bbox="773 1713 1557 1894">Projects that do not fit any of the above project categories are eligible to receive a combination grant and zero interest loan for eligible project expenses. Grant funds are awarded for the first \$150,000 of Department approved eligible costs and zero interest loan assistance</td></tr> </table>	Research and Development	Projects involving the research and development of new composting technologies including but not limited to equipment, methodology, and materials are grant eligible.	Demonstration	Projects involving the use of existing composting technologies for the first time in Iowa including, but not limited to, equipment, methodology and materials are grant eligible.	Market Development	Projects of which the primary focus is developing new or expanded markets for finished compost and other value-added compost products are grant eligible. Projects proposing to expand the materials currently composted without significantly altering the finished composting product or expanding compost markets, as determined by the Department, are not eligible for funding assistance under this project category.	Combination Grant and Loan Projects	Projects that do not fit any of the above project categories are eligible to receive a combination grant and zero interest loan for eligible project expenses. Grant funds are awarded for the first \$150,000 of Department approved eligible costs and zero interest loan assistance
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Demonstration	Projects involving the use of existing composting technologies for the first time in Iowa including, but not limited to, equipment, methodology and materials are grant eligible.								
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Combination Grant and Loan Projects	Projects that do not fit any of the above project categories are eligible to receive a combination grant and zero interest loan for eligible project expenses. Grant funds are awarded for the first \$150,000 of Department approved eligible costs and zero interest loan assistance								

	for the remainder of the award.	
<i>Applicant Cost Share</i>	Applicants are responsible to provide a minimum local cost share equal to 35 percent of the total project cost as identified in the application. Applicant cost share may consist of cash, expenses directly related to implementation and operation of the project for which financial assistance is not requested and "in-kind" items (i.e. existing equipment, existing building, etc.) that directly relate to implementation and operation of the project.	
<i>Funding</i>	This program is funded with a portion of the tonnage fees assessed on every ton of solid waste landfilled in the State of Iowa. Up to \$750,000 is available every 6 months.	
<i>Applications</i>	Applications for financial assistance must be made through the Waste Management Assistance Division and must use the application forms provided by the Department.	
<i>Regional Preference</i>	<p>The Composting Initiative was developed with a preference for regional projects. Applications that satisfy one or more of the following are eligible to receive 5 bonus points for each criteria met:</p> <ul style="list-style-type: none"> • Projects involving three (3) or more counties; • Projects serving an Iowa population base of 100,000 or more; and • Projects processing 30,000 tons or more of compostable materials per year or annually processing ten (10) percent of the solid waste stream currently landfilled in a proposed project's service area. 	
<i>Deadlines</i>	There are two (2) funding cycles per year. Application deadlines are 4:30 p.m. the first Monday in February and 4:30 p.m. the first Monday in August through the year 2000.	
<i>Term of Loans</i>	The term of loan is negotiated on a case by case basis. However, the Department has identified 5 to 7 years as a general maximum term of loan.	
<i>Best Practices Workshop</i>	Each award recipient is required to attend a best practices in composting course administered by Kirkwood Community College in Cedar Rapids. The course provides information and hands-on training in compost production techniques, feedstock management, site maintenance, process testing, finished compost standards, and compost use.	
<i>Department Contacts</i>	Thomas Anderson Environmental Specialist Waste Management Assistance Division Department of Natural Resources Wallace State Office Building Des Moines, Iowa 50319 515-281-8623	Garth Frable Program Planner Waste Management Assistance Division Department of Natural Resources Wallace State Office Building Des Moines, Iowa 50319 515-281-5105

**WMAD Mission
Statement**

To educate and assist Iowans to protect and conserve natural resources and the environment through the sustainable practices of pollution prevention and responsible waste management.

**LANDFILL ALTERNATIVES FINANCIAL ASSISTANCE PROGRAM
COMPOSTING INITIATIVE APPLICATIONS SELECTED -- FEBRUARY 1997**

The following table and project proposal summaries were prepared after a review of all applications submitted for funding consideration. Project summaries identify the amount and type of funding assistance as requested by the applicant, applicant contact and a brief project description. A total of \$1,763,660 was requested by twelve (12) applicants. Up to \$750,000 is available to award to one or more selected applicants.

Applications Received By Applicant Type	# Received	Request Amount
Local Government	8	\$ 1,194,980
Private For Profit	3	541,528
Private Not For Profit	1	27,152
Applications Received By Project Type	# Received	Request Amount
Research and Development or Demonstration	2	\$ 806,060
Market Development	7	451,928
Combination Grant and Zero Interest Loan	3	505,672

Of the twelve (12) applications received for funding consideration, four (4) applications were selected to receive a total of \$750,000 in funding assistance. Selected applications are identified by shading the project summary.

Applications were reviewed by a four person committee comprised of one representative each from the United States Environmental Protection Agency Region VII and the Iowa Department of Agriculture and Land Stewardship and two representatives of the Waste Management Assistance Division.

Application 1:

Clinton County Area Solid Waste Agency
4292 220th Street
PO Box 996
Clinton, Iowa 52732-0996

Request:

\$750,000

Applicant:

Local Government

Award:

\$453,053 -- Grant

Contact:

Chuck Goddard (319)243-4749

Project Type:

Research and Development/Demonstration

Project Title:

MSW Rotary Digester Composting

Description:

The applicant is proposing to construct a \$3 million dual rotary digester municipal solid waste (MSW) composting facility. The facility will have capacity to compost 100 tons of materials per day. Municipal solid waste will be accepted and composted from Clinton, Cedar and Jackson Counties. Jones and Muscatine Counties have expressed interest in utilizing the composting facility and negotiations continue with Clinton County Area Solid Waste Agency prior to including these counties into the project's service area.

Initially, compost exiting the system will be used as alternative daily landfill cover replacing the

cost of purchasing and transporting cover dirt from off-site. Alternative uses of the compost will be investigated once the system is operational. Generators of other organic waste streams will be identified and suitability of introducing these materials into the facility determined.

Funds are requested for building construction and equipment.

Application 2:	City of Iowa City 410 East Washington Street		
Request:	Iowa City, Iowa 52240-1826	Applicant:	Local Government
Project Type:	\$56,060	Contact:	Brad Neuman - (319)356-5235
Project Title:	R&D/Demo		
Description:	Shampoo Manufacturing Waste Composting Pilot Study		
	The proposed project involves demonstrating the compostability of waste generated during the manufacture of shampoo by a large generator of industrial waste in Johnson County. The company also generates fibre drums and bags that are currently landfilled. These materials will be incorporated into the composting project. It is estimated that the project will compost 68 tons per week of shampoo waste and fibre materials. Funds are requested for construction of a compost pad, operations and consulting services.		

Application 3:	City of Davenport - Davenport Composting Facility 2707 Rail Road Avenue PO Box 3606 Davenport, Iowa 52808		
Request:	\$64,898	Applicant:	Local Government
Project Type:	Market Development	Contact:	Scott Plett -- (319)328-7225
Project Title:	Statewide Compost Market Assessment		
Description:	The applicant is proposing to conduct a statewide compost market assessment to quantify current and potential compost usage in Iowa. Market research will be conducted through mail and telephone surveying with some personal site visits to substantiate current or potential compost users. Funds are requested for conducting surveys, report preparation and distribution.		

Application 4:	City of Davenport - Davenport Composting Facility 2707 Rail Road Avenue PO Box 3606 Davenport, Iowa 52808		
Request:	\$25,500	Applicant:	Local Government
Project Type:	Market Development	Contact:	Scott Plett -- (319)328-7225
Project Title:	Finished Compost Marketing		
Description:	The project involves a marketing campaign for compost generated by the applicant. Marketing/advertising will be accomplished via billboards, radio, television, newsprint and an educational video. Funds are requested for placement of the various advertisements.		

Application 5:	City of Davenport - Davenport Composting Facility 2707 Rail Road Avenue PO Box 3606 Davenport, Iowa 52808		
Request:	\$45,900	Applicant:	Local Government
Project Type:	Market Development	Contact:	Scott Plett -- (319)328-7225
Project Title:	Finished Compost Marketing		

Description: The applicant is proposing to purchase a live-bottom semi-trailer for delivery of finished compost to high volume markets (agriculture and landscaping) in bulk and bagged to retail outlets. The live floor trailer will facilitate efficiency in handling of materials and open new market outlets by delivery of large quantities. Funds are requested for the purchase of the live-floor walking trailer.

Application 6: City of Davenport - Davenport Composting Facility
2707 Rail Road Avenue

Request: PO Box 3606
Davenport, Iowa 52808
\$56,950
Project Type: Market Development
Project Title: Finished Compost Marketing
Description: The project involves purchasing and installing bagging equipment. In order to open new markets, retailers interested in obtaining finished compost from the applicant have indicated that bagged compost is required. Funds are requested for the purchase of bagging equipment.

Applicant: Local Government
Contact: Scott Plett -- (319)328-7225

Application 7: Enviro-Lawn L.C.C.

2312 241/2 Street
Rock Island, IL 61201
Request: \$130,253
Project Type: Market Development
Project Title: Finished Compost Use
Description: The applicant is proposing to demonstrate the use of compost in a lawn care business serving as a model for other lawn care providers in the use of organic soil amendments. Funds are requested for the purchase of compost application spreaders, a conveyor and a compost delivery vehicle.

Applicant: Private For Profit
Contact: Del Banowetz (309)793-6817

Application 8: Buena Vista County Solid Waste Commission

1247 630th Street
Storm Lake, Iowa 50588
Request: \$109,296
Award: \$109,296 -- Grant
Project Type: Combination Grant and Loan
Project Title: Composting Equipment Expansion
Description: The applicant is proposing to expand current composting operations by purchasing a shredder in order to begin accepting additional organic solid waste materials for composting. Materials are received from Buena Vista, Cherokee and Plymouth Counties and the City of Fonda in Pocahontas County. The facility will be able to accept such additional waste streams as seed and feed sacks, waste wood, yard waste, construction/ demolition debris and waxed cardboard. It is anticipated that the project will increase landfill diversion by nearly 2,500 tons annually.

Currently, finished compost is applied to land owned by the applicant, given to local residents and mixed with soil as daily cover at the landfill. Investigations will be conducted on alternative marketing opportunities of the finished compost once the project is operational and the finished compost tested.

Funds are requested for the purchase of equipment.

Application 9:	Fayette County Economic Development Commission 101 N. Vine PO Box 71 West Union, Iowa 52175		
Request:	\$27,152	Applicant:	Private Not For Profit
Project Type:	Market Development	Contact:	Cindy Carpenter (319)422-5073
Project Title:	Finished Compost Marketing Assessment		
Description:	The applicant is proposing to develop a facility to compost manure from various area livestock farmers. Finished compost will be marketed in bulk form to agricultural and landscaping professionals in the short term. Long term goal is to market finished compost to area homeowners. Funds are requested for staffing, surveying and report preparation.		

Application 10:	Artistic Waste Services, Inc. 1817 Euclid Avenue Des Moines, Iowa 50313		
Request:	\$310,000	Applicant:	Private For Profit
Project Type:	Combination Grant and Loan	Contact:	Tony Colosimo (515)262-4040
Project Title:	Commercial Food Waste Collection System		
Description:	The applicant is proposing to develop and implement a dedicated food waste collection system that will deliver collected food waste to the composting facility owned and operated by Metro Waste Authority. Funds are requested for equipment, collection containers, consulting and marketing.		

Application 11:	New Melleray Abbey 6500 Melleray Circle Peosta, Iowa 52068		
Request:	\$101,275	Applicant:	Private For Profit
Award:	\$101,275 -- Grant	Contact:	Joe Fitzgerald (319)588-2319
Project Type:	Market Development		
Project Title:	Organic Farm Composting and Application		
Description:	The applicant is proposing to construct and operate a composting facility serving Dubuque, Jackson and Delaware Counties. The applicant currently operates a certified organic farming operation. Finished compost will be applied on the applicant's cropland, used in horticultural and silviculture operations. In addition, up to 20 percent of the finished compost will be marketed to Iowa organic farmers. Through the project, the applicant will demonstrate organic, chemical-free and sustainable agricultural production and promote compost market development. It is anticipated that the project will initially utilize 6,500 tons of organic materials. Intermediate and long term plans include adding another 6,500 tons of organics to the composting operation. Financial assistance is requested for engineering and consulting services, equipment and lab analysis services.		

Application 12:	Iowa State Men's Reformatory North High Street Anamosa, Iowa 52205		
Request:	\$86,376	Applicant:	Local Government
Award:	\$86,376 -- Grant	Contact:	Glen Hansel (319)462-3504 Ext. 295
Project Type:	Combination Grant and Loan		

Project Title:	Compost Facility Construction and Operation
Description:	The applicant will establish a composting program and construct a composting facility that will serve the institution's 2,000 member community (approximately 1,550 inmates and 450 staff). It is anticipated that the project will initially divert over 1,000 tons of food waste, low grade paper, soiled paper and wood waste from the landfill annually. Plans are to include brush, yard and garden waste generated on prison grounds once the project is operational. The applicant also anticipates accepting yard waste, brush and food waste from entities outside the prison in the future. Finished compost will be applied to 1,500 acres of farmland and garden owned and operated by the prison.
	In addition to the composting facility, the applicant will develop and share information about implementing a closed loop recycling system in an institutional setting through regular presentations and development of a guidance manual and workshop.
	Funding assistance is requested for facility construction, equipment, collection containers, initial compost testing and development of the guidance manual and workshop.

Ms. Hay reviewed details of the projects.

Discussion followed regarding market development, the type of sorting in the Clinton County composting project, rotary digesters, how the compost compares with the commercial type, and whether markets need to identify compost ingredients.

INFORMATIONAL ONLY

LANDFILL ALTERNATIVES FINANCIAL ASSISTANCE PROGRAM CONTRACTS

Teresa Hay, Division Administrator, Waste Management Assistance Division, presented the following item.

From the round of thirty-five applications submitted for funding consideration the first Monday in December 1996, seven applications were selected to receive awards totaling of \$1,159,304. Of the seven selected projects, five applicants were selected to receive grants and two were selected to receive combination grant and zero interest loan awards.

The following provides a brief description of all seven selected projects. Six contracts for projects described below are attached. The remaining contract award is for an amount less than \$25,000.

Applicant:	University of Northern Iowa Center for Energy and Environmental Education Cedar Falls, Iowa 50614-0293	Project Title:	Festival Waste Reduction and Recycling
Award:	\$31,025 -- Education	Contact:	Rick Stinchfield - (319)273-7357
Award Type:	Grant		
Description:	The applicant is proposing to implement a comprehensive education and recycling program designed to promote awareness of the solid waste hierarchy and implement waste reduction and recycling initiatives at three northeast Iowa festivals (Sturgis Falls Celebration, Cedar Basin Jazz Festival, and College Hill Arts Festival). These festivals attract an estimated 300,000		

patrons annually. The project will commence with festivals held during the summer of 1997. A review of the festivals, their waste streams, waste handling, grounds configuration, patron behavior with regard to trash disposal, patron attitudes toward waste reduction and recycling and other factors will be studied. Prior to the 1998 festivals, information compiled from the 1997 festivals will be evaluated, an educational waste reduction and recycling program will be developed and solid waste management displays produced. In addition to the educational component, a companion waste reduction and recycling program will be developed and implemented at each festival during 1998 with a goal of reducing landfilled solid waste by 60%. The program will be designed with input from festival organizers and festival vendors. Results of the 1998 festivals will be analyzed and a festival waste reduction and recycling manual will be produced and distributed, a valuable tool in implementing similar programs at other Iowa and national festivals and events. The educational displays will also be available, on loan, for other Iowa festivals. Grant assistance is requested for labor, education materials, manual printing and distribution.

The applicant has not received financial assistance through this program.

Applicant:

Bluestem Solid Waste Agency
6301 Kirkwood Blvd. SW, Building EC31
P.O. Box 2068

Award:

Cedar Rapids, Iowa 52406
\$493,525 - R&D/Demo

Project Title: Bioreactor Cell Pilot Project

Contact: David Hogan - (319)398-1278

Award Type:

Grant

Description:

The applicant is proposing a multi-year project to demonstrate two emerging landfill technologies that will result in material diversion, a useable compost product and reduced landfill size requirements. Technologies to be demonstrated include optimized leachate recirculation, landfill gas collection to maximize the rate at which organics decompose in a landfill, and mining a stabilized bioreactor cell followed by screening of the excavated materials to recover compost material. The project is to demonstrate that by combining these technologies, landfill space can be reclaimed while generating a beneficial compost product via a relatively low cost compost process that is suitable for use by large and small landfills. This pilot demonstration project will divert an estimated 8,500 tons and provide several other benefits, including but not limited to:

- optimal leachate recirculation to maximize organic decomposition;
- maximum landfill gas production and time frame;
- analysis of compost characteristics to determine suitability for immediate use or need for further aerobic composting;
- determine the reusability of the liner after cell mining;
- degree of decomposition over time through recovery and analysis of "time capsules";
- monitor such cell information as subsidence, temp, moisture, leachate and landfill gas quantity and quality;
- compare results of the control cell (MSW only) and a cell where biosolids are added to MSW; and
- reduce landfill size requirements and the difficulties in siting new landfills.

Grant assistance is requested for landfill cell construction (100'x200'x45'), leachate recirculation system, laboratory analysis/sampling, and cell mining.

The applicant has received a previous award through this program. \$65,464 was awarded in December 1995 to conduct a waste sort and characterization study before and after the proposed landfill ban on corrugated cardboard. This two phase waste sort will allow assessing the impact

These projects are directly linked in that it is critical for a landfill to identify the types of organic and inorganic materials placed in a landfill and the bioreactor cell as it will impact the performance and time required before cell mining and compost recovery. The project will also provide performance data of interest to other landfills in Iowa and nationally and the US EPA.

The applicant has not received previous funding through this program.

The Department will provide up to \$2,000, included in the above award amount, for the purchase of supplies to conduct a second waste sort at the end of the contract. Information

gained from the second waste sort will assist in determining success of the project in diverting materials from the landfill and increased recycling program participation. It is also expected that information gained from the waste sort will be used in the Department's Statewide Waste Sort and Waste Characterization Study currently being developed for implementation in Fall 1997 and Spring 1998. Grant assistance is requested for personnel and supplies.

The applicant has not received previous financial assistance through this program.

Applicant:	BFC Gas and Electric, L.C. 2010 South Ankeny Blvd. Ankeny, Iowa 50021	Project Title:	Biomass Fuel Manufacture
Award:	\$326,850 - R&D/Demonstration	Contact:	Warren Dunham - (515)964-6787
Award Type:	Grant - \$88,740 and Loan - \$238,110		
Description:	<p>The project involves custom blending various types of biomass waste streams (low grade and non-recyclable paper, waste wood, sludge from Cedar River Paper Company, etc.) into a feedstock suitable for gasification leading to the generation and sales of electricity. The project estimates the consumption of up to 50,000 tons of material annually. The applicant will charge a competitive tipping fee compared to area landfills making the diversion of materials to this facility attractive to area solid waste generators and haulers. Grant assistance is requested for the purchase and installation of biomass processing equipment and engineering costs.</p> <p>The applicant has received two previous awards, \$72,152 in June 1992 and \$60,981 in December 1995. Previous projects involved the manufacture and sales of fuel cubes manufactured from various low grade and non-recyclable paper, waste wood, sludge, etc. materials. This proposed project differs from previous projects in that additional waste streams will be impacted and once blended, the materials will be directly fed into the boiler for combustion and the generation of electricity rather than processed into fuel cubes.</p>		

Applicant:	Scranton Manufacturing Co., Inc. 101 State Street PO Box 336 Scranton, Iowa 51462	Project Title:	Automated Curbside Recycling Vehicle
Award:	\$214,422 - Grant & Loan - R&D/Demo	Contact:	Kevin Watjie - (712)652-3396
Award Type:	Grant - \$26,528 and Loan - \$187,894		
Description:	<p>The applicant is seeking assistance to design, construct and demonstrate a recycling collection vehicle to improve the economics of curbside collection. It is estimated that two-thirds of the cost of recycling is tied up in the collection phase. The project will address high collection costs, coupled with the current relatively low market prices for many recyclable commodities, by designing, constructing and demonstrating a fully automatic collection vehicle. The vehicle will be designed with a split body to allow a simple two stream sort with independent compaction and a one person crew. Through the use of an automated arm, the vehicle will collect and empty materials from a split body curbside cart. Recycling program impacts are anticipated through:</p> <ul style="list-style-type: none"> • reducing curbside collection costs by 50 to 60 percent; • increased average tonnage collected per vehicle by 300%; • increased average number of homes collected by 2 to 3 times per vehicle per day over manual collection; • increased landfill diversion by 20 to 30 percent; and 		

- decreased capital collection equipment requirements by 50 to 60%.

Phase I of the project will determine the mechanical ability of the vehicle and collection arm to lift a divided curbside cart and empty the contents into the appropriate vehicle chamber with little cross contamination. Phase II is a 2 part demonstration. Part A is a demonstration of collecting fibre materials and commingled glass, plastic and metals in the split body curbside cart. Part B is to demonstrate collection of all recyclables in one side and solid waste destined for the landfill in the other side of the curbside cart. Grant funds are requested for building construction, equipment and prototype vehicle body construction.

The applicant has not received previous financial assistance through this program.

Applicant:	Van Buren County Solid Waste Management Commission PO Box 475 Keosauqua, Iowa 52565	Project Title:	Recycling & Waste Reduction Education
Award:	\$24,250 - Education	Contact:	Gene Stine - (319)498-4554
Award Type:	Grant		
Description:	<p>The applicant is proposing to hire a part-time education coordinator to provide waste reduction and recycling education throughout Van Buren County. The goal of the project is to expand and enhance recyclable material identification, increase participation in local recycling opportunities and improve understanding of waste reduction and recycling issues through presentations, educational materials, videos, educational columns in local newspapers, etc. Education programs and materials will target citizens, schools, business, industry and other interested groups.</p> <p>The Department will provide up to \$2,000, included in the above award amount, per waste sort for the purchase of supplies in conducting a waste sort at the beginning and again at the end of the contract. Information gained from the two waste sorts will provide baseline data, serve as a benchmark in directing the education coordinator's activities programming, assist in determining the success of the project in diverting materials from the landfill and increased recycling program participation. It is also expected that information gained from the waste sorts will be used in the Department's Statewide Waste Sort and Waste Characterization Study currently being developed for implementation in Fall 1997 and Spring 1998. Grant assistance is requested for personnel and supplies.</p> <p>The applicant has not received previous financial assistance through this program.</p>		

At this time, the six (6) contracts in excess of \$25,000 are presented to the Commission for approval.

(A copy of the Scope of Work for each project is on file in the department's Records Center)

Ms. Hay reviewed each of the LAFA contracts noting that there are representatives present for Blue Stem Solid Waste Agency and Scranton Manufacturing.

Terrance Townsend commented that the \$400,000 grant for Blue Stem does not seem to meet the qualifications under 455B, as he understands it.

Ms. Hay stated that it did qualify under the criteria that are set out in the program's administrative rules as a research and development demonstration grant eligible project.

Tim Hall

Tim Hall, Foth and Van Dyke Engineering, provided a brief overview of the project.

William Ehm inquired as to whether the research that will be published will be credible without a University listing on it.

Mr. Hall stated that a lot of research has been published in high-tech trade journals and presented at national conferences, adding that they carry a very high profile nationally.

Kevin Watchie

Kevin Watchie, National Marketing Manager for Scranton Manufacturing, described how the split-body, automated curbside recycling vehicle works. He related that the idea behind it is to pick up dual stream recyclables on an automated basis, or it can pick up recyclables and trash as two separate streams. He noted that with this system efficiencies go up dramatically, manpower goes down, and there is less wear and tear on the roads. He gave examples of the split-body concept collection programs being used in California.

Discussion followed regarding costs for split side carts and for the automated vehicle. Also discussed was the vehicle's weight scales which enables them to charge a per- pound fee.

Chairperson King asked if staff could provide the Commission with a video show on this type of collection.

Further discussion took place on the Blue Stem project overall time frame and budget/costs for the project.

Mike Berkshire

Mike Berkshire, Blue Stem Solid Waste Agency Planner, discussed project costs and noted that there is a budget for each year through 2003. He related that costs for cell construction is provided up-front but most of the excavation costs are in the year 2003. He stressed that this is a low-tech and low-cost way to divert a large portion of the waste stream from the landfill, and it carries out the recommendations of a citizen advisory committee Blue Stem worked with. He distributed copies of a summary of the Integrated Planning Process that includes the recommendation to look at bio-reaction.

<i>Motion was made by William Ehm to approve the six Landfill Alternatives Financial Program Contracts as presented. Seconded by Dean McWilliams.</i>

Gary Priebe commented that it looks to him like it would be a whole lot cheaper to go out and compost the waste before putting it in the hole, adding that if you are going to design a project it should be to excavate the landfills that are already there and not create a new one.

Vote on the motion carried unanimously.

APPROVED AS PRESENTED

PUBLIC PARTICIPATION

Blaine Nickles (HF 519 rules)

Blaine Nickles, former livestock producer and member of the Organization to Protect the Environment, spoke about the environmental consequences of the high concentration of livestock and poultry facilities in Wright County. He distributed copies of the following suggestions for the Commission to consider when making rule changes to HF 519, for protection of underground water aquifers:

- 1) Do not allow operations required to obtain a DNR permit to construct any facilities on land drained by agricultural drainage wells.
- 2) Remove surface intakes which lead to ag drainage wells on land which confinement feeding operations are located and on land used for liquid manure disposal.
- 3) Require proper maintenance of ag drainage wells (raise the cistern sidewalls, keep walls in good repair, cover the top cisterns to prevent any surface water entrance).
- 4) Increase separation distances from livestock facilities and ag drainage wells from (500 to 1,250 feet).
- 5) Require trenching around earthen manure storage structures built before December 31, 1992, (already required of structures built after that date).
- 6) Create separation distances between facilities and drainage ditches/small streams.
- 7) Prohibit the use of irrigation gun waste disposal on land drained by ag drainage wells.
- 8) Create concrete specifications for confinement feeding operations required to obtain a permit and for other confinement feeding operations located on land drained by ag drainage wells.
- 9) Increase separation distances for manure application on snow-covered or frozen ground.
- 10) Set a separation distance of 1,000 feet from neighboring residences when applying liquid manure.
- 11) Create more stringent specifications for hog waste lagoons and earthen basins, and do not allow building them below the ground water level.
- 12) Set a larger separation distance that requires two separate facilities to be considered one operation.

Aaron Heley-Lehman (ACCO recommendations on HF 519)

Aaron Heley-Lehman, Iowa Farmers Union, spoke about the GSB presentation last September to ACCO, regarding the Administrative Order on Jack DeCoster's nineteen lagoons. He related that the ACCO committee met to readdress some of the rules for large scale confinements. He added that the parts of the GSB report of concern were: portions of fourteen lagoons were built below groundwater levels, in some cases up to 20 feet below those levels; there were significant amounts of erosion, in some cases erosion through the entire liner; significant sand deposits were present; and there was sub-soil porous material in the North Central part of Iowa. Mr. Heley-Lehman stated that ACCO has been working on recommendations to address these problems and some of the recommendations are a step in the right direction, but some do not go far enough and some will take a step backward. He spoke of concern with lowering groundwater levels and related that no groundwater level should be lowered. He expressed concern about the regional threat to groundwater when issuing permits to large scale operations and related that if there is an extraordinary threat present the DNR should have the ability to deny the permit even though the numbers add up correctly. Mr. Heley-Lehman stated that in regard to the adjacency definition, the distance should be increased. In conclusion, he encouraged the Commission to look at the GSB study results when reviewing the ACCO recommendations so they can get a good context of the rulemaking on large scale confinements.

Rebecca Cole (HF 519 rules)

Rebecca Cole, Southern Hamilton County, stated that she had been before the Commission a number of times over the last three years and showed many slides of lagoons being built improperly because they were above the groundwater table. She related that she told the Commission that they were being built over field tiles. She noted that in 1995 there was a spill by S&B which poured millions of gallons of manure into the rivers. She asked the Commission to be strict in regard to these rules and to proceed cautiously on this issue.

Liz Gilbert (ACCO proposals on HF 519)

Liz Gilbert, Iowa Falls, stated that she was before the Commission last May asking for due process rights for neighbors complaining about livestock confinements. She related that DNR doesn't do anything about the citizen complaints and that is one of the sources of anger in the Iowa countryside. She related that the Commission now has a chance, with the ACCO recommendations, to do something to make the DNR do what it says it's supposed to do under the law, which is to actually investigate these sites. She stated that she is going to ask for semi-annual, surprise mandatory inspections of permitted confinements. Ms. Gilbert noted that if inspections are not required, then the Commission should look specifically at the design standards recommended by ACCO and she expanded on that issue. She distributed copies of her Reaction to ACCO Proposals listing the following areas: 1) should be no artificial lowering of the groundwater table; 2) should be semi-annual, surprise, mandatory inspections instead of discretionary, prior-notice ones proposed by ACCO; 3) should be increased design standards added to mitigate any potential system failure instead of the bare minimum standards proposed by ACCO - (clay liners, suitable materials, permeability tests); structures should not be allowed

into the water table as ACCO proposes. Structures should not be allowed on hillsides, which ACCO does not address; 4) must be real penalties for noncompliance by the producer; 5) add the following rules to the ACCO proposal: no earthen structures to be built in watershed area with an ag drainage well, sinkhole, or fractured bedrock near the surface; adjacency distance should be doubled; vegetated filter strips should be required down gradient from earthen structures when any type surface water is within 1/2 mile of the site; should apply to existing earthen structures built within the groundwater table.

Kermit Miksell (large hog confinements)

Kermit Miksell, retired farmer from Story City, expressed concern with large hog confinements being built and their sidewalls leaking before any hogs are even put there. He expanded on this issue noting that reconstituted water was being hauled in posing water quality threats to the wells and groundwater. He stated that the rules should not be changed to allow lagoons at groundwater level as the aquifer needs to be protected.

Don Paulin, Deputy Director, commented that ACCO is following the same process they did when they brought the last rule recommendations to the Commission, adding that the law requires DNR staff to consult with ACCO in development of the rules. He related that the recommendation for rule changes will be presented to the Commission with presentations from DNR staff as well as a representative of the ACCO group. The recommendations will be from the staff, based on the ACCO recommendations.

FOOD WASTES DATA BASE CONTRACT

Teresa Hay, Division Administrator, Waste Management Assistance Division, presented the following item.

The purpose of this contract is to survey all industrial food processors in Iowa of ten (10) or more employees to develop a database describing the amounts, types, and locations of, and current management methods for organic wastes generated by the food and kindred product sector in Iowa. The food and kindred product sector includes industries involved with meat packing, dairy products, flour and grain milling products, snack foods, prepared animal feeds, bakery products, preserved/canned fruits and vegetables, beverages, and fats and oils. The database shall not include wastes from restaurants, supermarkets, hospitality sectors, or institutions. Based upon the data collected, the contractor shall evaluate and describe the environmental, economic, and regulatory potential of composting, land application, animal feed production, fertilizer production, biomass conversion, alcohol production, and other techniques for managing these wastes in Iowa.

The objectives of the contract are:

- (1) To develop a database describing the amounts, types, and locations of organic wastes generated by the food and kindred product sectors in Iowa;

- (2) To perform locational analysis of the data gathered using a geographic information system ;
- (3) To identify and describe the current methods of managing these wastes in Iowa;
- (4) To evaluate the environmental and economic potential of composting, land application, animal feed production, fertilizer production, biomass conversion, alcohol production, and other techniques for managing these wastes in Iowa;
- (5) To determine and describe the waste management needs of the industrial food production sector in Iowa; and
- (6) To promote existing waste management programs such as the Waste Reduction Assistance Program, the By-product and Waste Search Service, the Iowa Waste Reduction Center, and the Recycle Iowa Office to the food and kindred product sectors in Iowa.

Eight applications were recieved by the proposal deadline. A listing of all applicants is attached for the Commission's review. Review of the proposals will be completed by March 14 and the Commission will be provided with the justification for the specific contractor selected.

The Commission is requested to approve the contract for development of a food wastes database for the State of Iowa. The budget for this project is \$31,000, and the work will be accomplished by September 15, 1997.

FOOD WASTES DATABASE DEVELOPMENT PROPOSALS

PROPOSAL:	APPLICANT:
1	Dr. Rolando Flores Dr. Carol Shanklin Kansas State University 2 Fairchild Hall Manhattan, Kansas 66506-1103 Phone: (913) 532-4064 (Flores); (913) 532-2206 (Shanklin) Fax: (913) 532-7010 (Flores); (913) 532-5504 (Shanklin) Email: raf@gizmit.wheat.ksu.edu (Flores); shanklin@humecc.ksu.edu (Shanklin) Request: \$30,999.01
2	Shelly Schneider Franklin Associates, Ltd. (in conjunction with BioCycle) 4121 West 83rd Street, Suite 108 Prairie Village, Kansas 66208 Phone: (913) 649-2225 Fax: (913) 649-6494 Request: \$31,000.00
3	John Konefes University of Northern Iowa (in conjunction with the Iowa Waste Reduction Center, Region XII Council of Governments, By-product and Waste Search Service, and the Recycling and Reuse Technology Transfer Center) 75 Biology Research Complex Cedar Falls, Iowa 50614-0185 Phone: (319) 273-2079 Fax: (319) 273-2926 Email: konefes@uni.edu Request: \$31,000.00
4	James Steffen James Steffen & Associates (in conjunction with Woods End Research Laboratory and Commonwealth Marketing & Development) 12808 North 192nd Street Bennington, Nebraska 68007

	Phone: (402) 238-2091 Fax: (402) 238-2175 Email: 105346.3530@compuserve.com Request: \$30,965.00
5	Jay Brady Stanley Consultants 225 Iowa Avenue Muscatine, Iowa 52761 Phone: (319) 264-6322 Fax: (319) 264-6658 Email: bradyjay@stanleygroup.com Request: \$30,992.42
6	Timothy Hall Foth & Van Dyke (in conjunction with E&A Environmental Consultants) 2111 Grand Avenue, Suite 100 Des Moines, Iowa 50312 Phone: (515) 323-7050 Fax: (515) 323-7087 Request: \$31,000.00
7	Russ Stammer Howard R. Green Company 4685 Merle Hay Road, Suite 106 PO Box 31039 Des Moines, Iowa 50310 Phone: (515) 278-2913 Fax: (515) 278-1846 Request: \$31,000.00
8	Mark Chew Westwood Business Services 3775 EP True Parkway #116 West Des Moines, Iowa 50265 Phone: (515) 226-8711 Fax: (515) 267-9240 Email: woolsey@netins.net Request: \$31,000.00

Ms. Hay explained details of the contract.

Brief discussion followed regarding the similarity in the amount of the bids.

Motion was made by Charlotte Mohr to approve the Food Wastes Database Development Contract with the University of Northern Iowa, as presented. Seconded by Rita Venner.

Discussion followed regarding what retailers do with their produce waste, and Stickle Feed Manufacturing taking tons of all kinds of food wastes. Also discussed was the waste exchange data base.

Vote on the motion carried unanimously.

APPROVED AS PRESENTED

SOLID WASTE FUNDING INFORMATION - OTHER STATES

Teresa Hay, Division Administrator, Waste Management Assistance Division, presented the following item.

Per the Commission's request, attached is a summary of the funding sources used by other midwestern states for solid waste programs and what those dollars are used for. Not all states use a tonnage fee to fund their activities, therefore a direct comparison of Iowa's tonnage fee is not accurate. Additionally, even though tonnage fees are the most common way to generate revenue, there are some different ways the tonnage fees are calculated.

Missouri's tonnage fee is tied to the consumer price index. Illinois charges a sliding tonnage fee with facilities disposing of over 150,000 cubic yards per year paying \$.45 per cubic yard or \$.95 per ton. Facilities that dispose of 100,000-150,000 cubic yards per year pay a flat fee of \$25,000 per year, 50,000-100,000 cubic yards \$11,300 per year, 10,000-50,000 cubic yards \$3,450 per year, and less than 10,000 cubic yards \$500 per year. Ohio does not have a state tonnage fee, but local solid waste districts can assess a tonnage fee on local solid waste disposal sites. If a district doesn't have a disposal site, they can receive general fund revenue from the State of Ohio.

Iowa's base tonnage fee is \$4.25. Those planning areas that have achieved the 25% waste reduction and recycling goal (37 of 50) collect only \$3.75. Of this amount, they retain .95 cents for their own use and submit \$2.80. Planning areas that have not attained the 25% waste reduction and recycling goal collect \$4.75, retain .95 cents and submit \$3.80. In fiscal year 1996, \$6.5 million dollars were submitted to DNR for use in seven program areas designated in the law and for support of EPD's Solid Waste Section and WMAD staff.

Illinois: (Source: Reg Willis, Department of Commerce and Community Affairs)

Funding Source:

Amount/Yr.

Tonnage Fee

\$13 million

(Varies, depending on amount of waste disposed at facility)

Uses:

\$13 million for research, education, recycling grants, college recycling grant program, and administration

\$1.00/tire sold

\$2 million

Uses:

\$2 million with 10% going to Department of Revenue, 10% to tire dealers, 26% of the remaining 80% of the first \$2 million to Commerce & Community Affairs, 45% of the

remaining 80% after first \$2 million goes to Commerce & Community Affairs. Commerce & Community Affairs' cut is about \$2 million

TOTAL = \$15 million

Kansas: (Source: Kent Foerster, Department of Health and Environment)

Funding Source:

Amount/Yr.

Tonnage fee = \$1.00/ton

\$4 Million

(was \$1.50 and there is currently a legislative proposal to restore the \$1.50 tonnage fee)

(+ interest)

Uses:

\$1.60 million (44 people) for administration, permitting, compliance and enforcement, and solid waste planning,

\$0.65 million for professional services including public education campaign, remediation, and technical training

\$0.30 million for operational expenses

\$0.05 million for capital outlay including items like computers and sampling equipment

\$2.10 million for grants including \$250,000 for planning grants, \$200,000 for ag pesticide collection and \$1.50 million for solid waste implementation grants like recycling, composting, and market development

\$187,500 HHW collection programs

\$150,000 for small quantity generator hazardous material collection programs

\$.50 fee/tire sold

\$1.2 Million

(includes tires on new cars)

Uses:

\$0.19 million administration

\$1.01 million grants for tire clean up related projects

Hazardous Waste Disposal Permit Fee

\$82 Thousand

Uses:

\$37,500 for HHW collection programs

\$44,500 for small quantity generator hazardous material collection program

TOTAL = \$5.23 Million

Minnesota: (Source: Julie Ketchum)**Funding Source:****Amount/Yr.****6.5% sales tax on garbage bills**

\$10 Million

*of residents and commercial waste generators***Uses:**

\$7 million for pass through grants to the counties to implement and maintain recycling programs

\$1 million used for grants specific to sustainable community development, HHM collection, market development, education, and pollution prevention

\$2 million is used by Office of Environmental Assistance for administration and program support

Pollution Prevention Fee

\$ 1 Million

(Paid by business based on TRI reports and amount of waste they generate)

Uses:

\$150,000 goes to pollution prevention grants,

\$500,000-\$750,000 goes to Minnesota Technical Assistance Program,

Remaining money goes to administration (3 staff) including staff that administers the governor's pollution prevention awards

TOTAL = \$11 Million

Missouri: (Source: Kathy Weinsaft, Department of Natural Resources)**Funding Source:****Amount/Yr.****\$1.66 tonnage fee/ton**

\$7 million

Uses:

\$6 million with 25% for administration, 50% passed back to waste management districts, and 25% for statewide project grants,

\$1 million off top to Environmental Improvement & Energy Resources Authority (this changes to 10% of fund starting in FY 98)

\$.50/new tire purchased**\$1 million**

Uses:

\$1 million with 95% for tire pile cleanup, 5% solid waste education

General Fund**\$1 million**

Uses:

\$1 million with money used for administration of waste reduction and recycling related programs
as well as regulatory enforcement staff

TOTAL = \$9 Million

Nebraska: (Source: Pat Langan, Department of Environmental Quality)**Funding Source:****Amount/Yr.****\$1.25 tonnage fee/ton****\$2 million**

Uses:

\$1.0 million goes to Waste Reduction & Recycling Incentive Grants program, only political subdivisions eligible

\$1.0 million for administration of Integrated Waste Management Section and landfill inspectors

\$1.00 fee/new tire**\$1.5 million**

Uses:

\$1.5 million goes to tire loan & grant program

**\$175 per \$1 million dollar gross proceeds from
selling products typically found in litter**

\$1.1 million

Uses:

\$0.75 million goes to Litter Reduction and Recycling Grant Program for public education, cleanup, and recycling grants; public and private entities eligible

\$0.35 million goes to administrative costs

\$25 fee/any business that sells tangible property \$.65 million

Uses:

\$0.65 million goes to Waste Reduction & Recycling Incentive Grants Program; with public
and private entities eligible to receive this funding

TOTAL = \$5.25 Million

North Dakota: (Source: Martin Schock, Department of Health)

Funding Source:	Amount/Yr.
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Funding Source has been repealed.

From 1991-95

<i>\$.20 charge on each household/yr. +</i>	<i>\$.75 million</i>
<i>\$.75-\$5.00 escalating charge on each</i>	
<i>commercial solid waste accounts</i>	

Uses:

\$.75 million for recycling and waste reduction related activities, including a grants program

TOTAL = \$.75 million

Ohio: (Source: George Peters, Department of Natural Resources)

Funding Source:	Amount/Yr.
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Two-tier anti-litter surcharge on franchise tax	\$14 million
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Uses:

\$10 million to DNR for waste reduction & recycling related activities, \$4 million to general fund

TOTAL = \$10 million

* In addition the local solid waste management districts can assess a tonnage fee on solid waste disposal facilities in their district. If a district does not have any solid waste disposal facilities, the district can receive money from the state's general fund for waste reduction and recycling related activities.

Wisconsin: (Source: Susan Hundt-Bergan)

Funding Source:	Amount/Yr.
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Surcharge on business income tax (5.5% of gross tax liability with a \$25 minimum payment and a \$9,800 maximum)	\$40/million
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Uses:

\$29.20 million goes to local governments as recycling grants, that the locals must cost share
\$ 8.25 million goes to market development efforts
\$ 2.25 million goes to administrative and program support

TOTAL = \$40 million

Ms. Hay presented the item noting an error on the Minnesota information that their total should show \$20 million rather than \$11 million.

Brief discussion followed.

INFORMATIONAL ONLY

MONTHLY REPORTS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The following monthly reports are enclosed with the agenda for the Commission's information.

1. Rulemaking Status Report
2. Variance Report
3. Hazardous Substance/Emergency Response Report
4. Enforcement Status Report
5. Contested Case Status Report

Members of the department will be present to expand upon these reports and answer questions.

RULEMAKING STATUS REPORT March 1, 1997

PROPOSAL	NOTICE TO COMM.	NOTICE PUBLISH	RELES REVIEW COMM.	HEARING	FINAL SUMMARY TO COMM.	RULES ADOPTED	RULES PUBLISH	RULES REVIEW COMM.	RULE EFFECTIVE
1. Ch. 20 - Potential to Emit for Emergency Generators	9/16/96	10/09/96	11/13/96	11/07/96	3/17/97	*3/17/97	*4/09/97	*5/05/97	*5/16/97
2. Ch. 20, 21, 23, 25 and 29 - Air Quality Rules	10/21/96	11/20/96	12/11/96	12/10/96	3/17/97	*3/17/97	*4/09/97	*5/05/97	*5/16/97
3. Ch. 22, 23 - Air Quality- Emission Guidelines for Municipal Solid Waste Landfills	2/17/97	3/12/97	*4/08/97	*4/11/97	*5/19/97	*5/19/97	*6/08/97	*7/07/97	*7/23/97
4. Ch. 100, 102 - Special Waste Authorizations	10/21/96	11/20/96	12/11/96	12/13/96	2/17/97	2/17/97	3/12/97	*4/08/97	*4/16/97
5. Ch. 216 - Regents Tire Derived Fuel Program	1/21/97	2/12/97	3/03/97	3/05/97	*4/21/97	*4/21/97	*5/21/97	*6/09/97	*6/25/97
6. Ch. 217 - Waste Tire Processor Incentive Program	1/21/97	2/12/97	*3/03/97	*3/05/97	*4/21/97	*4/21/97	*5/21/97	*6/09/97	*6/25/97

VARIANCE REPORT - FEBRUARY 1997

Item	Facility	Program	Engineer	Subject	Decision	Date
1	Clarksville, City of	Air Quality		Separation Distance	Approved	02/07/97
2	Iowa DOT-Wastewater Treatment Plant Access Road-City of Dike	Flood Plain	Iowa DOT	Freeboard	Approved	02/03/97
3	Muller, John, Applicant-Rural Grundy County	Flood Plain		Percent Length Reduction	Approved	02/24/97
4	Union Pacific Railroad Bridge-Willow Creek-Missouri Valley	Flood Plain	Boyle Engineering Corp.	Freeboard	Approved	02/24/97
5	Merrill Iron & Steel, Inc.-Marshalltown	Solid Waste	Central Development Industries	Coal Combustion Residue	Approved	02/25/97
6	Viking Pump Foundry Sand Landfill-Cedar Falls	Solid Waste	Montgomery Watson	Groundwater Monitoring	Approved	02/11/97
7	IES Utilities, Inc.-Duane Arnold Energy Center-Palo	Watersupply Construction	Hart-Frederick Consultants	Installation Procedures	Approved	02/14/97

ENVIRONMENTAL SPILL RESPONSE REPORT

From February 1 - 28, 1997, 54 reports of hazardous conditions were received. A summary is presented below.

Month	Total Incidents	Petro. Product	Ag - Chem	Other Chem	Handle & Storage	Pipe-line	Hwy. Incident	RR Incident	Fire	Other
Oct.	52(64)	28(37)	10(9)	14(18)	31(21)	0(0)	13(35)	4(3)	0(1)	4(4)
Nov.	33(52)	18(34)	9(7)	6(11)	16(25)	0(4)	12(21)	2(1)	0(0)	3(1)
Dec.	33(56)	20(30)	3(11)	10(15)	16(28)	1(2)	12(21)	0(2)	1(1)	3(2)
Jan.	39(42)	28(18)	49(10)	7(14)	20(24)	1(0)	15(13)	2(1)	0(0)	1(4)
Feb.	54(55)	29(36)	7(11)	18(8)	29(37)	2(1)	20(12)	1(2)	2(1)	0(2)

(numbers in parentheses for the same period in fiscal year '96)

Total Number of Incidents Per Field Office This Period:

1	2	3	4	5	6
6	4	6	8	17	13

ENFORCEMENT REPORT UPDATE

The following new enforcement actions were taken last month:

Name, Location and Field Office Number	Program	Alleged Violation	Action	Date
Rodney, City of (4)	Drinking Water	Monitoring/Reporting Nitrate; Public Notice	- Order/Penalty \$100	1/30/97
Cliff's Place, Inc., Waverly (1)	Drinking Water	Monitoring/Reporting Bacteria, Nitrate; Operation Without Permit; Public Notice	- Order/Penalty \$1,500	1/30/97
River's Edge Retreat, Mt. Pleasant (6)	Drinking Water	Monitoring/Reporting Bacteria, Nitrate; Operation Violations	- Order/Penalty \$100	2/03/97
Hofer's Danceland Ballroom, Walford (1)	Drinking Water	Monitoring/Reporting Bacteria, Nitrate; Operation Without Permit	- Order/Penalty \$3,200	2/03/97
Grand Prix Pork, Ltd., Kossuth Co. (2)	Wastewater	Construction Without Permit	Order/Penalty \$1,000	2/10/97

Sylvan Acres, Janesville (1)	Drinking Water	Monitoring/Reporting Nitrate; Public Notice	- Order/Penalty \$1,000	2/20/97
Organic Technologies Corp.; Tim Danley; Ken Renfro, Warren Co. (5)	Solid Waste; Wastewater	Operational Violations	Amended Order	2/20/97
Practical Pig Corp., Clinton Co. (6)	Wastewater	Prohibited Discharge	Order/Penalty \$2,500	2/25/97

SUMMARY OF ADMINISTRATIVE PENALTIES

The following administrative penalties are due:

AMOUNT	DUE DATE	NAME/LOCATION	PROGRAM		
		NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
		Marvin Kruse d/b/a K & C Feeds (Luana)	UT	300	12-01-92
		Don Grell d/b/a Dodger Enterprises (Ft. Dodge)	AQ	10,000	2-16-93
		Duane Pospisil d/b/a Duane's Service (Lisbon)	UT	1,000	5-04-93
		Melvin Foubert d/b/a Mel's Repair Service (What Cheer)	UT	400	12-13-93
		Stan Simmer d/b/a Tire City (Des Moines)	UT	600	12-21-93
		*63-80 Cafe (Moore Oil Co.) (Malcom)	WS	200	1-20-93
		Ida Grove Farm Supply Co. d/b/a Double Circle Farm Supply Co. (Galva)	UT	2,300	5-15-94
		Leland Koster and Jim Koster (Alexander)	UT	350	6-11-94
		*Home Asbestos & Lead Abatement Services (Johnston)	AQ	350	7-02-94
		Crawford Flats, Ltd. (Denison)	WS	275	8-25-94
		Holland, City of	WS	550	8-28-94
		Coralville Lake Terrace Assn. (North Liberty)	WS	550	9-01-94
		Bill Dettman d/b/a Dettman Oil Co. (Fonda)	UT	2,800	9-15-94
		Scenic View Estates (Decorah)	WS	275	9-25-94
		Batavia, City of	WS	650	10-17-94
		Hidden Valley Mobile Home Court (Washington Co.)	WS	200	10-22-94
		*Dale Hall d/b/a Hall Oil Co. (Des Moines)	UT	250	11-15-94
		William R. Hennessey & Son, Inc. (Cedar Rapids)	UT	2,670	12-06-94
		Donald K. Schmidt (Cedar Rapids)	UT	3,000	12-27-94
		Collier Oil Co.; Clark Concrete Co. (Onawa)	UT	3,300	1-22-95
		Valley Heights 1st Annex (Blue Grass)	WS	550	6-05-95
		Rock Falls Lounge (Rock Falls)	WS	1,500	6-12-95
		Crestwood Acres; Mid County Water, Inc. (Toddville)	WS	375	6-13-95
		Lake Vista Improvement Assn., Inc. (Solon)	WS	200	6-14-95
		Fremont County Sanitary Landfill (Fremont Co.)	SW	5,000	7-05-95
		David A. Dohlman d/b/a Dave's Conoco (Dumont)	UT	2,300	7-18-95
		M & L Service; Loyal Dorr; Mark Courtney (Guthrie Center)	UT	1,000	8-30-95
		Norman Klynsma d/b/a OK One Stop Service (Hospers)	UT	2,000	9-01-95
		Carter Lake, City of	WS	200	10-25-95
		Meadow Knolls Addition (Marion)	WS	200	10-29-95

Environmental Protection Commission Minutes

March 1997

Searsboro, City of	WW	2,500	11-08-95
*R.V. Hopkins, Inc. (Davenport)	AQ	10,000	11-15-95
Economy Solar Corp. (Monticello)	AQ	7,500	11-25-95
Elery Fry; Allen Fry; Becky Sandeen (Monroe Co.)	SW	6,000	1-20-96
Patrick McCoy (Keokuk Co.)	AQ/SW	2,000	2-10-96
Cheryl Straughn d/b/a Cher's Mini Mart (Chapin)	UT	600	2-21-96
Dennis Sharkey d/b/a Sharkey Bldg. Wrecking (Dubuque)	AQ	2,000	3-11-96
Sportsmen's Club (Waukon)	WS	100	4-01-96
C & C Ltd. d/b/a Country View MHP (Denison)	WS	475	4-08-96
Long Branch Tavern (Monmouth)	WS	100	5-01-96
David Kramer (Camanche)	UT	600	5-03-96
Latimer, City of	WS	150	5-03-96
Ainsworth, City of	WS	150	5-03-96
Hofer's Danceland Ballroom (Walford)	WS	100	5-04-96
McClelland Bar & Grill (Council Bluffs)	WS	100	5-06-96
Paul L. Dunkel (Delaware Co.)	SW	1,500	6-27-96
*Orrie's Supper Club, Inc. (Hudson)	WS	650	7-15-96
*Woden-Crystal Lake Comm. School District (Crystal lake)	AQ	1,000	8-01-96
Plantation Village Mobile Home Park (Burlington)	WW	1,000	8-01-96
Dennis L. Mattison (Winnebago Co.)	AQ/SW	600	9-03-96
*Dan Peterson d/b/a Peterson Backhoe (Dumont)	AQ	500	9-22-96
Carpenter Bar & Grill (Carpenter)	WS	725	9-27-96
Howard Victor and Wanda Victor (Des Moines)	UT	10,000	10-21-96
Riverside Lutheran Bible Camp (Story City)	WS	500	10-28-96
Long Branch Tavern (Monmouth)	WS	6,400	10-28-96
Wunschel Oil, et.al. (Battle Creek)	UT	4,400	12-23-96
Gassman's MHP & Spruce Harbor Inn (Dubuque)	WS	4,500	12-26-96
Mark Anderson d/b/a Westside Park for Mobile Homes; M A, Inc. (Burlington)	AQ/SW	1,000	1-03-97
#Eugene VanDenBerghe (Scott Co.)	WW	2,000	1-06-97
*Ken Frese (Keokuk Co.)	AQ/SW	175	1-09-97
*First United Methodist Church (Ft. Madison)	AQ	500	2-01-97
J.F.V. Corporation; Frank Hawk; Sharon Hawk (Prole)	UT	600	2-19-97
*#Gary Watson (Cerro Gordo Co.)	WW	400	3-01-97
*Orville Long (Polk Co.)	SW	400	3-10-97
Long Branch Tavern (Monmouth)	WS	200	3-18-97
Thurman, City of	WR	100	3-17-97
Ballard Golf & Country Club (Story Co.)	WR	100	3-23-97
Kalona Golf Club, Inc. (Kalona)	WS	750	3-18-97
Wayne Johnson (Rockford)	AQ/SW	1,000	4-01-97
Al's Fisherman's Wharf (Dubuque)	WS	500	4-02-97
Rodney, City of	WS	100	4-07-97
River's Edge Retreat (Mt. Pleasant)	WS	100	4-08-97
#Grand Prix Pork, Ltd. (Kossuth Co.)	WW	1,000	4-14-97
Hofer's Danceland Ballroom (Walford)	WS	3,200	4-19-97
Sylvan Acres (Janesville)	WS	1,000	-----
Deer Ridge Estates (Ottumwa)	WS	100	-----
#Practical Pig Corp. (Clinton Co.)	WW	2,500	-----
TOTAL		123,220	

The following cases have been referred to the Attorney General:

Donald P. Ervin (Ft. Dodge)	SW	669	3-05-90
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E97Mar-35

Robert and Sally Shelley (Guthrie Center)	SW	1,000	3-04-91
Vernus Wunschel d/b/a Wunschel Oil (Ida Grove)	UT	300	1-12-92
Verna and Don Reed; Andrea Silsby (Union Co.)	SW	1,000	4-07-94
Relative, Inc.; Doug Smuck (Des Moines)	UT	3,070	10-11-94
Relative, Inc.; Doug Smuck (Des Moines)	UT	600	10-11-94
Trust Trucking Corp.; Jim and Brenda Huyser (Lovilia)	UT	840	11-01-94
Paul Underwood d/b/a Underwood Excavating (Cedar Rapids)	AQ	4,000	3-24-95
Oscar Hahn (Solon)	AQ/SW	2,000	8-29-95
Randy Ballard (Fayette Co.)	FP	2,000	5-30-95
ESCORP Associates Ltd.; Arnold Olson (Cedar Rapids)	AQ	10,000	7-09-95
Jody Beaver (Cedar Co.)	AQ/SW	2,000	5-27-95
Brian McKernan d/b/a Hickory Grove MHP (Story Co.)	WW	1,000	4-15-96
TOTAL		28,479	

The following administrative penalties have been appealed:

NAME/LOCATION	PROGRAM	AMOUNT
Joe Eggers, Jr., et.al. (St. Ansgar)	SW	1,000
Hickory Hollow Water Co. (Ankeny)	WS	400
Wayne Transportation, Inc. (Greene)	WW	1,000
Mulgrew Oil Company (Dubuque)	HC	500
Charles Kerr (Sloan)	UT	600
Chickasaw Co. SLF, et.al. (Chickasaw Co.)	SW	1,000
Plymouth Cooperative Oil Co. (Hinton)	WW	1,000
Randy Bonin/Vickie Brannick (Hardin Co.)	SW	500
Dean Hoeness d/b/a Hoeness & Sons (Winterset)	UT	300
King's Terrace Mobile Home Court (Ames)	WW	500
ITWC, Inc. (Malcom)	AQ	1,000
Frank Hulshizer (Benton Co.)	SW	500
Pirelli Armstrong Tire Corp. (Polk Co.)	SW	1,000
LeMars, City of	WW	5,000
Crane Co. d/b/a Crane Valves (Washington Co.)	SW	500
Donald Udell (Plymouth Co.)	SW	1,000
Oakwood Park Water, Inc. (Ankeny)	WS	1,000
U.S. Dept. of Defense (Sioux City)	UT	5,720
Waverly Gravel & Ready-Mix aka Shell Rock Sand and Gravel (Shell Rock)	AQ	3,000
Coastal Mart, Inc.-Store #1081 (Davenport)	UT	5,320
Country Stores of Carroll, Ltd.; Roger Kanne (Carroll)	UT	10,000
Elite, Ltd.; Roger Kanne; James Pietig (Coon Rapids)	UT	3,500
Elite, Ltd.; Roger Kanne; James Pietig (Logan)	UT	3,288
HiWay Texaco, Ltd.; Roger Kanne; Rick Kanne (Bagley)	UT	5,000
Galva Union Elevator Co. (Galva)	UT	3,100
Joseph L. Ranker; Daryl Hollingsworth (Indianola)	UT	4,000
Tom Wiseman (Sheffield)	UT	3,500
Karl and Thelma Boylan d/b/a Boylan's Service (Northboro)	UT	1,800
William Jensen d/b/a B & B Tire & Oil Co. (Avoca)	UT	2,300
Crabtree Lake Resort (Rhodes)	WW	5,400
Elmer R. Faust d/b/a Faust Garage & Grocery (Delaware)	UT	2,300
American Coals Corporation - Site #5 (Bussey)	AQ/SW	10,000
H.E.W., Inc. aka Hazardous Environmental Wastes, Inc. aka Algona Roofing & Insulation, Inc. (Algona)	AQ	5,000

Bankston, City of	WS	550
Wunschel Oil, et.al. (Ida Grove)	UT	10,000
Jim Foust (Indianola)	SW	2,175
Titan Wheel International, Inc. (Walcott)	WW	10,000
Ronald Sizemore and Mark Murphy (Eldora)	UT	3,200
Boomsma's Egg, Inc. (Alden/Galt)	AQ	10,000
Keith Owens and Howard Maurer (Wilton)	UT	3,100
Tom Babinat d/b/a Tom's Car Care (Grundy Center)	UT	3,600
Richard Beckett (Villisca)	UT	1,300
Henry and Randy Krohn d/b/a Krohn Const. (Waukee)	AQ/SW	4,000
James and Roxann Neneman; J&R Mini Mart (Council Bluffs)	UT	3,900
Simonsen Industries, Inc. (Cherokee Co.)	WW	5,000
Sale-R-Villa Const., Inc. (Perry)	AQ	10,000
Dennis Malone & Joanne Malone (Morning Sun)	UT	600
Economy Solar Corp.; Jeffrey C. Intlekofer (Cedar Rapids)	AQ	10,000
Marty Feinberg d/b/a Feinberg Scrap Iron; Betty Feinberg; F & F Metals (Lee Co.)	HC/WW	10,000
Earth Media Technologies, Inc. (Polk Co.)	SW	3,000
Allison Fire Dept.; Allison, City of	AQ	5,000
Pilot Oil Corporation (Walcott)	WW/UT	5,000
Leonard C. Page (Adams Co.)	SW	3,000
White Oaks Homeowners Assn. (Ankeny)	WS	1,000
Boyer Valley Company (Arion)	WW	8,000
Wilbur McNear; Gilbert Persinger (Smithland)	UT	2,500
Donald Krieger (Terrill)	UT	600
Donald J. Foreman d/b/a D & R Feedlots (Woodbury Co.)	WW	3,000
Wilbur McNear d/b/a McNear Oil Co. (Charter Oak)	UT	2,000
Holiday Mobile Lodge, Inc. (Johnson Co.)	AQ/SW	2,000
Shell Rock Products, Inc. (Butler Co.)	AQ/SW	10,000
E.L. Incorporated (Algona)	SW	5,000
Weber Construction, Inc. (Cascade)	AQ	4,000
Tri-County Bank & Trust (Cascade)	AQ	4,000
Jack Pinney Operations, Inc. (Sioux City)	AQ	4,000
Vernon Kinsinger d/b/a K & K Sanitation (Washington Co.)	AQ/SW	10,000
Roy Burger (Gillette Grove)	UT	5,400
Spencer Municipal Hospital (Spencer)	AQ	3,000
Westside Park for Mobile Homes (Burlington)	WW	3,000
Climax Molybdenum Company (Ft. Madison)	HC/AQ	10,000
Clarence, City of	WW	3,000
Bill Shirbroun d/b/a Was Broken Pallet (Webster Co.)	AQ/SW	1,000
Daryl & Karen Hollingsworth d/b/a Medora Store (Indianola)	UT	4,800
Hidden Valley Mobile Home Park (Washington)	WW	2,000
Jolly Roger Campground & Marina (North Liberty)	WW	1,000
Markley Knock d/b/a Knock's Bldg. Supply (Parkersburg)	AQ/SW	2,000
Dean Williams d/b/a Williams Oil Co. (Stuart)	UT	4,800
Russell Stagg (Muscatine Co.)	AQ/SW	2,000
Obie's Hurstville Tap, Inc. (Maquoketa)	WS	100
Edward Bodensteiner (Des Moines)	UT	3,200
Dallas County Care Facility (Adel)	WW	2,500
#Marlin Brennehan (Iowa Co.)	WW	3,000
Mount Joy Mobile Home Park (Davenport)	WW	2,000
Louisa-Muscatine Community School (Letts)	WS	500
Davenport Travel Plaza (Walcott)	WS	250
#C & I Eggs (Webster Co.)	WW	3,000

Vermeer Manufacturing Co. (Pella)	AQ	10,000
Gary Walker (Montgomery Co.)	AQ/SW	3,000
Haasco, Ltd. (Dubuque)	AQ	3,000
Site Services, Ltd. (Waterloo)	AQ	5,000
Winsor Oil Co., Inc.; Joyce Winsor (Vinton)	UT	1,500
Bernie Brauns d/b/a Brauns Waste Mgmt. (Muscatine Co.)	AQ/SW	10,000
Becker Gravel Company, Inc. (Stratford)	WW/FP	3,000
Ron Rupe (Polk Co.)	SW	2,000
Richard L. Magdefrau (Washington Co.)	AQ/SW	2,000
Lamoni, City of	WW	1,000
Margaret and Gene Palmersheim d/b/a G & M Service Mart (Greeley)	UT	1,500
Dakota Mobile Home Park (Oxford)	WW	2,550
Waste Mgmt. & Design; Monfort, Inc. (Des Moines)	SW/WW	10,000
#Boomsma Egg Site #1; A.J. DeCoster (Wright Co.)	WW	1,000
Leroy Navratil d/b/a Navratil Excavating (Plymouth)	AQ/SW	600
Richard Sprague (Tripoli)	AQ/SW	5,000
Joseph Barragy; Tom Barragy; J & M Woodshavings, Inc. (Cerro Gordo Co.)	AQ/SW	4,000
Marvin Low d/b/a Low's DX (Toledo)	UT	10,000
#Don Ridenour (Keokuk Co.)	WW	500
Carroll, City of	WS	3,000
Todd L. Salow (Washington)	AQ/SW	5,000
Camp Golden Valley (Lockridge)	WW	5,700
Holliman LTD.; Terry Holliman (Hamburg)	SW/WW	10,000
Organic Technologies Corp.; Tim Danley; Ken Renfro (Warren Co.)	SW/WW	10,000
Iowa Tanklines, Inc. (Des Moines/Webster City)	UT	1,000
Ralene Hawkins d/b/a R.J. Express Salvage & Demolition; Clara Lindstadt (Des Moines Co.)	AQ/SW	1,000
#Rod Bice (Boone Co.)	WW	500
Bellevue Golf Club, Inc. (Bellevue)	WS	2,200
Cliff's Place, Inc. (Waverly)	WS	1,500
Craig Burgin (Indianola)	UT	600
TOTAL		422,253

The following administrative penalties were paid last month:

NAME/LOCATION	PROGRAM	AMOUNT
Central Water Works (Fort Dodge)	WS	50
Home Oil Stations; Otto-Matic; Larence Otto (Burlington)	UT	200
*#Gary Watson (Cerro Gordo Co.)	WW	50
Steven Mullane d/b/a S & S Landscaping (Madison Co.)	AQ/SW	500
*Orville Long (Polk Co.)	SW	50
Sheldahl, City of	WS	200
Larchwood, City of	WR	50
Perry, City of (STIPULATED PENALTY)	WW	2,200
RHCL School (Luxemberg)	WS	50
Village Oaks Homeowners Assn. (Blue Grass)	WS	100

Northwood Country Club (Worth Co.)

WR

100

TOTAL**3,550**

*Payment Schedule

#Animal Feeding Operation

ATTORNEY GENERAL REFERRALS**March 1, 1997**

Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
Ballard, Randy Fayette Co. (1)	Flood Plain	Construction Without Permit	Order/ Penalty	Referred	5/29/96
Beaver, Jody Cedar Co. (6)	Solid Waste Air Quality	Illegal Disposal Open Burning	Order/ Penalty	Referred	7/28/95
DeCoster, A.J. Wright Co. (2)	Updated Waste-water	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Defendant's Pre-Answer Motions Filed State's Resistance Filed Order Denying Defendant's Motion Defendant's Motion for Separate Trials State's Resistance Filed Defendant's Answer Defendant's Reply to Resistance State's Supplement to Resistance State Brief Hearing on Motion for Separate Trials Order Denying Defendant's Motion Defendant's Motion to Compel State's Motion to Extend Pleadings Hearing Order Denying Defendant's Motion Order Granting State's Motion Defendants Motion for Reconsideration Order Denying Defendant's Motion State's Motion to Compel Hearing Order Granting State's Motion Trial Closing Arguments Post Trial Briefs	7/17/95 1/23/96 3/06/96 3/27/96 4/12/96 4/19/96 4/29/96 5/01/96 5/06/96 5/30/96 5/31/96 6/03/96 6/28/96 10/03/96 10/15/96 10/21/96 10/28/96 10/28/96 11/06/96 11/21/96 11/27/96 12/20/96 12/20/96 1/28/97- 2/6/97 2/11/97 2/21/97
DeCoster, A.J. Nursery Unit #3 Wright Co. (2)	Updated Waste-water	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Trial Date	8/19/96 11/25/96 9/16/97

March 1997

Environmental Protection Commission Minutes

DeCoster, Austin J. Sow Unit #1 (2)	Waste- water	Prohibited Discharge	Referred to Attorney General	Referred	1/22/97
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Economy Solar Corp. Ft. Madison (6)	Air Quality	Asbestos	Referred to Attorney General	Referred Petition Filed Trial Date Ruling (\$1,600/Civil & Injunction) Notice of Appeal Voluntary Dismissal	3/21/94 8/29/94 11/06/95 11/30/95 1/03/96 4/11/96
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Economy Solar Corp./Central Community School DeWitt (6)	Air Quality	Asbestos	Referred to Attorney General	Referred Petition Filed	7/17/95 1/03/97
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Economy Solar Corp. Cedar Rapids (1)	Air Quality	Penalty Collection	Order/ Penalty	Referred	6/17/96
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ESCORP/Cryotech Cedar Rapids (1)	Air Quality	Asbestos	Referred to Attorney General	Referred	7/17/95
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ESCORP Associates, Ltd; Arnold Olson Cedar Rapids (1)	Air Quality	Asbestos	Order/ Penalty	Referred	9/16/96
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Hahn, Oscar Solon (6)	Updated	Air Quality Solid Waste	Open Burning Illegal Disposal	Order/ Penalty	Referred Petition Filed Default Judgment	12/18/95 4/18/96 11/01/96
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Humiston, Fred d/b/a Cedar River Trailer Park Letts (6)	Drinking Water	MCL-Nitrate	Referred to Attorney General	Referred	9/16/96
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Huyser, James; Trust Trucking Lovilia (5)	Undergrou nd Tank	Site Assessment	Referred to Attorney General	Referred Petition Filed	11/21/94 4/18/96
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Lee, Harold and Evelyn Keokuk Co. (6)	Waste- water	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed	10/16/95 5/16/96
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Environmental Protection Commission Minutes

March 1997

Martinez, Vincent d/b/a Martinez Sewer Service Davenport (6)	Hazardous Condition	Remedial Action	Order/ Penalty	Referred Petition Filed Partial Default Judgment (Injunction)	2/17/92 12/21/92 10/11/94
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McKernan, Brian d/b/a Hickory Grove Mobile Home Park Roland (5)	Waste- water	Discharge Limits; Monitoring & Reporting	Order/ Penalty	Referred	1/22/97
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Mullane, Steven A. d/b/a S & S Landscaping Services Des Moines (5)	Updated Solid Waste Air Quality	Illegal Disposal; Open Burning	Order/ Penalty	Referred Closed Admin. (\$500/Admin.)	1/22/97 2/07/97
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Orrie's Supper Club, Inc. Hudson (1)	Drinking Water	Monitoring/ Reporting; Lead & Copper	Order/ Penalty	Referred	10/16/95
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Owens & Owens Realty, Inc. Wilton (6)	Undergroun d Tank	DNR Defendant	Defense	Petition Filed Answer Filed	3/29/96 4/19/96
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Papetti's of Iowa Food Products, Inc. Taylor Co. (4)	Waste- water	Prohibited Discharge	Referre d to Attorne y General	Referred	1/22/97
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Postville Pork Postville (1)	Wastewater	Prohibited Discharge	Referre d to Attorne y General	Referred	5/20/96
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Reed, Verna and Don; Andrea Silsby Union Co. (4)	Solid Waste	Illegal Disposal	Order/ Penalty	Referred Petition Filed Default Judgment	6/20/94 8/10/94 12/12/94
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Relative, Inc.; Doug Smuck Des Moines (5)	Undergroun d Tank	Insurance Violation	Order/ Penalty	Referred Petition Filed Order Granting Default Judgment	10/17/94 5/12/95 11/26/96
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Underwood, Paul d/b/a Underwood Excavating and Demolition Cedar Rapids (1)	Air Quality	Asbestos	Order/ Penalty	Referred Motion for Judgment	5/15/95 8/15/96
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CONTESTED CASES**March 1, 1997**

DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
1-23-86	Oelwein Soil Service	Admin. Order	WW	Murphy	Hearing continued; additional testing being done.
6-08-89	Shaver Road Investments	Site Registry	HW	Kennedy	Draft consent order under review by EPA
6-08-89	Hawkeye Rubber Mfg. Co.	Site Registry	HW	Kennedy	Draft consent order under review by EPA.
6-08-89	Lehigh Portland Cement Co.	Site Registry	HW	Murphy	Hearing continued. Discovery initiated.
11-03-89	Bridgestone/Firestone, Inc.	Site Registry	HC	Murphy	Hearing continued pending negotiations. Settlement proposed 8/96.
5-08-90	Texaco Inc./Chemplex Co. Site	Site Registry	HW	-----	Settlement proposed.
5-14-90	Alter Trading Corp. (Council Bluffs)	Admin. Order	SW	Kennedy	EPD considering public hearings. District court suit filed.
6-20-90	Des Moines, City of	NPDES Permit Cond.	WW	Hansen	EPD met with City to resolve appeal issues. Follow-up with EPD regarding status-3/97.
7-02-90	Keokuk Savings Bank and Trust; Keokuk Coal Gas Site	Site Registry	HW	-----	Hearing continued.
7-30-90	Key City Coal Gas Site; and Howard Pixler	Site Registry	HW	-----	Decision appealed (Pixler).
8-01-90	J.I. Case Company	Site Registry	HW	Preziosi	Hearing continued indefinitely pending cleanup of neighboring site.
10-15-90	Westside General Store Corp.	Admin. Order	UT	Wornson	Evaluating inability to pay - UST fund eligibility by county..
12-03-90	United States Gypsum Co.; Smitty's Oil	Site Registry	HC	Preziosi	Negotiating before filing.
12-27-90	McAtee Tire Service, Inc.	Admin. Order	SW	Kennedy	Amended order issued 1/11/96.
1-07-91	Joe E. Eggers, Jr.; Joe and Mary Eggers	Admin. Order/Penalty	SW	Kennedy	Hearing continued. Clean-up continuing slowly due to illness.
5-20-91	Great Rivers Coop-Lockridge	Site Registry	HC	Murphy	Settlement proposed.
9-25-91	Archer Daniels Midland	Admin. Order	SW	Kennedy	DNR engineers reviewing documents.
1-17-92	Hickory Hollow Water Co.	Admin. Order/Penalty	WS	Hansen	Settlement offer to WS. Counter offer 7/13/93. Dept. response on 8/3/93. Facility

					response 8/11/93. 12/93 Dept. letter to attorney. Construction permit issued for fluoride removal. Facility to be installed by 10/30/94. Letter to attorney regarding appeal closure. Response requested by 6/2/96. 5/30/96 - Response received indicating compliance and requesting waiver of penalty. 9/30/96 Request for waiver of penalty denied. Facility attorney to submit new proposal.
1-30-92	Center Oil Co., Inc.	Admin. Order	HC	Murphy	Negotiating before filing.
4-09-92	Wayne Transports, Inc.	Admin. Order/Penalty	WW	Murphy	Negotiating before filing.
4-15-92	Mulgrew Oil Co.	Admin. Order/Penalty	HC	Wornson	Settlement letter sent 8/31/94. SCR completed. Low risk monitoring site.
4-24-92	Charles A. Kerr	Admin. Order/Penalty	UT	Wornson	Financial inability claimed. Warning letter sent 1/25/95. No response.
5-05-92	Plymouth Cooperative Oil Co.	Admin. Order/Penalty	WW	Murphy	Negotiating before filing.
5-12-92	Paris & Sons, Inc.	Site Registry	HC	Murphy	Negotiating before filing.
5-27-92	Beckett Chevrolet-Olds	Admin. Order	UT	Wornson	Financial inability claimed. Claimant completing financial documents.
6-23-92	Chickasaw County Board of Supervisors, Chickasaw County Sanitary Landfill	Admin. Order/Penalty	SW	Kennedy	County to include closing in FY 1997 budget. Letter regarding budget sent 12/19/95. Letter regarding budget and work plan received 5/14/96.
8-06-92	Randy Bonin and Vickie Brannick	Admin. Order/Penalty	SW	Kennedy	Clean-up progress is slow. Appellant's attorney to reply by 8/1/96.
8-24-92	Dean Hoeness d/b/a Hoeness & Sons	Admin. Order/Penalty	UT	Wornson	Financial inability claimed. Insufficient documentation.
9-21-92	ITWC	Admin. Order/Penalty	AQ	Preziosi	Settlement close.
9-22-92	King's Terrace MHP	Admin. Order/Penalty	WW	Hansen	8/94-Letter to facility regarding resolution of appeal. Follow-up letter 3/96.
11-16-92	Frank Hulshizer	Admin. Order/Penalty	SW	Kennedy	Amended order issued 1/11/96.
12-14-92	Quantum	Permit Conditions	WW	Hansen	3/30/93 Dept. settlement offer made. 5/03/93 response from company. Company collecting data. Company response submitted 12/93. EPD to review information regarding permit calculations.
1-22-93	Pirelli Armstrong Tire Co.	Admin. Order/Penalty	SW	Kennedy	F.O. 5 to meet with company 2/26/96 regarding land application.

4-05-93	Mapleton, City of	WW Operator Certification	WW	Hansen	Under review by EPD. Appeal discussion with EPD staff.
4-12-93	LeMars, City of	Admin. Order/Penalty	WW	Hansen	Construction permit issued. Schedule submitted by City for remaining construction found unacceptable. Request for acceptable schedule - 1/31/96. Schedule received; under review by WW Permits.
4-19-93	Council Bluffs, City of	Permit Conditions	WW	Hansen	8/96 - Letter to City in attempt to resolve appeal. 10/96 - Response from City. 11/96 - Letter from City regarding appeal. 1/9/97 - Settlement offer sent to City. 2/97 - No response.
4-21-93	Donald Udell	Admin. Order/Penalty	SW	Kennedy	Clean-up completed. Penalty settlement due.
4-26-93	Crane Co.	Admin. Order/Penalty	SW	Kennedy	DNR engineers meeting with company.
6-21-93	Jacobs Energy Corp., Inc.	Permit Denial	AQ	Preziosi	Hearing continued.
7-06-93 7-28-93	Dennis E. Good Berniece K. Nease	Admin. Order	UT	Wornson	Compliance initiated 12/23/96.
7-09-93	Oakwood Park Water, Inc.	Admin. Order/Penalty	WS	Hansen	Construction permit issued 2/94. Facility to be installed by 11/30/94. Letter to attorney regarding appeal resolution. Response requested by 6/2/96. 5/30/96 - Response received indicating compliance and requesting waiver of penalty. 9/30/96 Request for waiver of penalty denied. Facility attorney to submit new proposal.
7-20-93	Valley Restaurant/Sierp Oil; Mary & Carl Sierp; and Robert Radford	Admin. Order	UT	Wornson	Settlement expected. SCR submitted. Revision required under RBCA.
7-20-93	U.S. Dept. of Defense	Admin. Order/Penalty	UT	Wornson	SCRs on the site and several others in Sioux City under review..
11-16-93	Iowa Southern Utilities	Permit Conditions	AQ	Preziosi	Awaiting summary of issues from attorney.
12-23-93	Waverly Gravel & Ready-Mix aka Shell Rock Sand and Gravel	Admin. Order/Penalty	AQ	Preziosi	Negotiating penalty. Settlement close.
1-27-94	Archer-Daniels-Midland	Permit Conditions	AQ	Preziosi	Negotiating before filing.
2-14-94	Economy Solar Corp. (94AQ04)	Admin. Order/Penalty	AQ	Preziosi	Judicial review decision received in favor of DNR. No further appeal filed. Sent to AG for collection..
2-28-94	Coastal Mart - Davenport	Admin.	UT	Wornson	Deficient SCR. Letter sent. Penalty on

		Order/Penalty			appeal.
3-03-94	Burlington Northern Railroad	Tax Certification	WW	Hansen	3/96 - Letter to company regarding appeal. Response requested by 4/30/96. 5/96 - Follow-up letter sent. Response requested by 6/28/96. Follow-up letter sent. Response from company that appeal is being reviewed.
3-08-94	Country Stores of Carroll, Ltd.; Elite Ltd.; Roger Kanne; James Pietig (Logan) (Coon Rapids)	Admin. Order/Penalty	UT	Wornson	All SCRs received. Proposal for compliance sent 8/13/96. Response due 11/15/96.
4-19-94	Galva Union Elevator Co.	Admin. Order/Penalty	UT	Wornson	Negotiating penalty.
5-10-94	Dennis Malone; Joanne Malone	Admin. Order/Penalty	UT	Wornson	Untimely appeal. No closure as of 2/96.
5-27-94	Joseph L. Ranker; Daryl Hollingsworth	Admin. Order/Penalty	UT	Wornson	Insurance to qualify for remedial benefits unpaid. Issued second Admin. Order for failure to have financial responsibility. Tanks closed.
6-15-94	Lakeview Heights	Permit Conditions	WS	Hansen	Facility proposal under review by WS. DNR response to appeal - 4/96.
6-24-94	Larence Otto	Admin. Order/Penalty	UT	Wornson	Penalty received 2/13/97. Settled.
7-07-94	Rose Bar Tire Shredding	Admin. Order	SW	Kennedy	In bankruptcy. 1/96 Working on fire lanes. Sold - limited processing.
7-12-94	Tom Wiseman	Admin. Order/Penalty	UT	Wornson	Appeal untimely. Follow-up letter sent. Attny. filing for FUND benefits..
7-15-94	Village Homeowners Oaks	Admin. Order/Penalty	WS	Hansen	WS reviewed file for compliance. 2/96 - in compliance and eligible for reduced monitoring. 1/97 - Settlement offer to facility. Penalty received 2/18/97. Settled.
8-12-94	Karl and Thelma Boylan d/b/a Boylan's Service	Admin. Order/Penalty	UT	Wornson	Inability to pay. Failed to return required documentation. Letter sent 2/27/97.
8-29-94	B and B Tire and Oil	Admin. Order/Penalty	UT	Wornson	SCR accepted. Letter sent offering penalty negotiations 8/26/96. Free product report received 10/2/96.
9-01-94	Elmer R. Faust d/b/a Faust Garage & Grocery	Admin. Order/Penalty	UT	Wornson	SCR accepted - negotiating penalty.
9-02-94	Crabtree Lake Resort	Admin. Order/Penalty	WW	Hansen	Facility in compliance.
9-06-94	HEW, inc.	Admin. Order/Penalty	AQ	Preziosi	3/1/96 - Amended order to be issued.
9-09-94	American Coals Corp., Site	Admin.	SW/AQ	Kennedy	Bankruptcy filed. Phone conversation

	5 (Bussey)	Order/Penalty			regarding reorganization 1/23/96.
9-15-94	Bankston	Admin. Order/Penalty	WS	Hansen	1/95 - Information from City. Compliance initiated. Respond to City regarding settlement.
9-16-94	Wunschel Oil Co.; Vernus Wunschel; Jacquelyn Wunschel; Mark Wunschel (Ida Grove)	Admin. Order/Penalty	UT	Wornson	Consent order. SCR received. Revisions to SCR required - overdue. Follow-up letter sent 2/26/96. UST Fund conducting further assessment and free produce removal.
9-26-94	James D. Foust	Admin. Order/Penalty	SW	Kennedy	Settlement offer made 1/23/96. FO rejected offer.
10-07-94	Titan Wheel International	Admin. Order/Penalty	WW	Hansen	Revised BMR report submitted/reviewed by WW Permits. Letter to facility regarding report.
10-19-94	Ronald Sizemore; Mark Murphy	Admin. Order/Penalty	UT	Wornson	Inability to pay documented. County took tax deed. Contact regarding UST fund..
10-26-94	Boomsma's Inc.	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
10-31-94	Owens & Owens Realty, Inc.; Keith Owens; Howard Maurer	Admin. Order/Penalty	UT	Wornson	District Court for judicial review. Fund eligible.
11-14-94	Tom Babinat d/b/a Tom's Car Care	Admin. Order/Penalty	UT	Wornson	Inability to pay - request documentation.
11-28-94	Richard Beckett	Admin. Order/Penalty	UT	Wornson	Referral to UST Fund. Follow-up - 3/96.
12-14-94	Campbell Clean-Up Service	Permit Denial	AQ	Preziosi	Negotiating before filing.
1-10-95	Steamboat Rock	Admin. Order	WS	Hansen	2/95 - Settlement offer by City and response by Dept. 4/95 - Dept. letter to City regarding settlement. 5/95-construction approved by WS section for chlorination equipment. 1/17/96 - Letter to City regarding resolution of appeal. No response as of 2/28/96. Dept. follow-up letter - 3/96. Response from City 4/8/96. Amended order issued 8/30/96.
1-11-95	Henry and Randy Krohn d/b/a Krohn Construction	Admin. Order/Penalty	AQ/SW	Kennedy	Settlement offer made. FO rejected offer.
1-13-95	James and Roxann Neneman	Admin. Order/Penalty	UT	Wornson	Inability to pay. Forms sent. No response. Follow-up - 3/96. 1/97 - County interested in tax deed.
1-13-95	Simonsen Industries, Inc.	Admin. Order/Penalty	WW	Hansen	2/28/95 - Submittal by facility's engineer regarding land application of sludge. Under review by WW permits staff.
2-23-95	Lehigh Portland Cement	Permit	WW	Hansen	Informal settlement meeting held on 6/96. Facility to provide status report regarding

		Conditions			TSS permit limit by 9/20/96.
2-27-95	Sale-R-Villa Construction	Admin. Order/Penalty	AQ	Preziosi	Settlement meeting held 5/23/96. Facility to submit written proposal.
3-23-95	American Coals Corp.	Admin. Order	SW	Kennedy	In bankruptcy. Phone conversation 1/23/96 regarding reorganization.
4-13-95	The Weitz Corp.; Barton Solvents, Inc.	Admin. Order	HC	Kennedy	Remediation plan received 5/27/96.
4-19-95	Otis Schultz d/b/a Schultz Oil	Admin. Order/Penalty	UT	Wornson	Penalty received 1/31/97. Settled.
5-05-95	C & O Recycling Enterprises; Douglas W. Owen	Permit Denial	AQ	Preziosi	Negotiating before filing.
5-25-95	Marty Feinberg d/b/a Feinberg Scrap Iron; Betty Feinberg; F & F Metals	Admin. Order/Penalty	HC/WW	Kennedy	Hearing set for 3/7/97. Clean-up continuing.
5-25-95	E.I. DuPont DeNemours (95-A-133)	Permit Conditions	AQ	Preziosi	Awaiting engineering evaluation.
5-30-95	Economy Solar Corp.; Jeffrey C. Intlekofer (95-AQ-14)	Admin. Order/Penalty	AQ	Preziosi	Order rescinded.
5-30-95	Earth Media Technologies	Admin. Order/Penalty	SW	Kennedy	In the process of clean-up.
5-31-95	E.I. DuPont DeNemours (91-A-266 thru 91-A-269)	Permit Conditions	AQ	Preziosi	Awaiting engineering evaluation.
6-09-95	Don Peterson d/b/a Peterson Backhoe	Admin. Order/Penalty	AQ	Preziosi	Settled. Awaiting final penalty payment.
6-16-95	Allison Fire Dept.; City of Allison	Admin. Order/Penalty	AQ	Preziosi	Awaiting penalty payment.
6-16-95	Pilot Oil Corporation	Admin. Order/Penalty	WW/UT	Murphy	Site clean-up proceeding.
6-20-95	Toledo, City of	Permit Conditions	WW	Hansen	WW permits to negotiate settlement. Status of negotiations requested 1/9/96.
6-23-95	Leonard C. Page	Admin. Order/Penalty	SW	Kennedy	Penalty settlement due 7/30/96.
6-29-95	White Oaks Homeowners Assn.	Admin. Order/Penalty	WS	Hansen	Informal meeting held 3/8/96. 4/25/96 follow-up letter to facility. 5/96 - Facility response received. Meeting held 6/96. Facility to provide signed agreement by 8/31/96 for new water source that meets MCL requirements. Facility working with Des Moines regarding connection to that WS and with Polk Co. to obtain funding through special assessment.

7-03-95	Donald J. Foreman d/b/a D & R Feedlots	Admin. Order/Penalty	WW	Hansen	Negotiating before filing.
7-05-95	Boyer Valley Co.	Admin. Order/Penalty	WW	Hansen	Informal meeting held for 6/7/96. Response from facility due 6/28/96. Response received from facility 7/96.
7-10-95	Donald Krieger	Admin. Order/Penalty	UT	Wornson	Tanks removed. Report due.
7-10-95	Gilbert Persinger	Admin. Order/Penalty	UT	Wornson	SCR received - rejected. Review progress - 4/96.
7-13-95	Organic Technologies Corp.	Admin. Order	SW	Kennedy	New Admin. Order issued 11/15/96. Hearing set for 4/3/97.
7-28-95	Harold T. Knott; James C. Knott	Admin. Order	UT	Wornson	Negotiating before filing.
8-01-95	Wilbur McNear d/b/a McNear Oil Co.	Admin. Order/Penalty	UT	Wornson	SCR not received as of 2/29/96.
8-18-95	Holiday Mobile Lodge, Inc.	Admin. Order/Penalty	AQ/SW	Kennedy	Appellant's attorney reply due 2/29/96.
8-18-95	Redmond Enterprises, Inc.	Admin. Order	UT	Wornson	Compliance initiated.
8-24-95	Shell Rock Products, Inc.	Admin. Order/Penalty	AQ/SW	Kennedy	Settlement offer due 8/1/96.
9-06-95	Kraft Foods Inc.; Oscar Mayer Division	Variance Denial	WW	Hansen	Follow-up letter requesting information sent 1/12/96. Letter 2/19/96 granting additional time for information. 6/96 - additional information received by WS staff for review. 7/96 - Request for variance, as modified, granted. 8/96 - Construction permit for new well granted. 10/96 - Letter to engineer regarding dismissal of appeal.
9-20-95	FKI Industries, Inc.; Fairfield Aluminum, Inc.	Admin. Order	WW/HC	Murphy	Negotiating before filing.
10-09-95	E.L. Incorporated	Admin. Order/Penalty	SW	Kennedy	Appellant no longer accepting waste. Renewal permit may be requested.
10-17-95	Tri-County Bank	Admin. Order/Penalty	AQ	Preziosi	Awaiting penalty payment.
10-17-95	Weber Construction, Inc.	Admin. Order/Penalty	AQ	Preziosi	Hearing continued. No new date set.
11-03-95	Jack Pinney Operations, Inc. aka Jack Pinney Grading	Admin. Order/Penalty	AQ	Preziosi	Settlement close.
11-14-95	Mike Barker	GW Professional Denial	UT	Wornson	Settlement negotiations underway.

12-12-95	Vernon Kinsinger; K & K Sanitation	Admin. Order/Penalty	AQ/SW	Kennedy	Informal meeting held. Working with F.O. #6.
12-13-95	Roy Burger	Admin. Order/Penalty	UT	Wornson	Compliance complete - negotiating penalty.
12-27-95	Ag Processing, Inc.	Permit Denial	AQ	Preziosi	Negotiating before filing.
12-28-95	Site Services, Ltd.	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
12-29-95	Spencer Memorial Hospital	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
1-04-96	Catherine E. Meredith	Admin. Order	UT	Wornson	Current owner to complete SCR.
1-08-96	Westside Park for Mobile Homes	Admin. Order/Penalty	WW	Hansen	Past due monthly monitoring reports submitted to FO 6. Facility inspection 2/28/96 by FO 6/.
1-11-96	Climax Molybdenum Company	Admin. Order/Penalty	AQ/HC	Preziosi	Negotiating before filing.
1-12-96	Clarence, City of	Admin. Order/Penalty	WW	Hansen	1/96 - Facility inspected by FO 6. 9/96 letter from facility attorney stating construction completed.
1-19-96	Bill Shirbroun d/b/a Was Broken Pallet	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
1-22-96	Daryl Hollingsworth and Karen Hollingsworth d/b/a Medora Store	Admin. Order/Penalty	UT	Wornson	Negotiating before filing.
1-24-96	Jolly Roger Campground	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
1-25-96	Hidden Valley Mobile Home Park	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
1-25-96	Markley Knock d/b/a Knock's Building Supply	Admin. Order/Penalty	AQ/SW	Kennedy	Phone conference with attorney regarding settlement - due 5/30/96.
1-30-96	Dean Williams d/b/a Williams Oil Co.	Admin. Order/Penalty	UT	Wornson	Compliance initiated.
2-06-96	Russell Stagg	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
3-04-96	Edward Bodensteiner	Admin. Order/Penalty	UT	Wornson	Hearing held 11/7/96. Brief submitted. ALJ decision received - no appeal.
3-11-96	Dallas County Care Facility	Admin. Order/Penalty	WW	Hansen	Facility inspected by FO. Now in compliance.
3-11-96	Marlin Brenneman	Admin. Order/Penalty	WW	Clark	Negotiating before filing.

3-14-96	Laurel, City of	Admin. Order	WW	Hansen	Information submitted by city under review by WQ section..
3-14-96	Lamoni, City of	Admin. Order	WW	Hansen	Flow information requested from City's engineer.
3-19-96	Obie's West	Admin. Order	WS	Hansen	Under review by WS section.
3-22-96	Mt. Joy Mobile Home Park	Admin. Order/Penalty	WW	Hansen	3/25/96 Inspection by FO 6. Facility in compliance.
3-26-96	Louisa-Muscatine Community School	Admin. Order/Penalty	WS	Hansen	Negotiating before filing.
4-19-96	C & I Eggs	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
5-07-96	Lakeview Mobile Home Park	Admin. Order/Penalty	WW	Hansen	6/20/96 - informal meeting held. Facility to provide settlement offer by 7/15/96. Settlement offer received from facility - under review.
5-08-96	Vermeer Mfg. Co. (96AQ06)	Admin. Order/Penalty	AQ	Preziosi	Drafting consent order.
5-14-96	Gary Lee Walker	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
5-16-96	Grand Laboratories, Inc.	Permit Denial	WW	Hansen	Negotiating before filing.
5-29-96	Champion Intl. Corp.	Permit Denial	AQ	Preziosi	Negotiating before filing.
5-29-96	Haasco, Ltd.	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
6-07-96	Clow Valve Company	Permit Conditions	AQ	Preziosi	Negotiating before filing.
6-07-96	Koehring Cranes, Inc.	Open Burning Variance Denial	AQ	Preziosi	Negotiating before filing.
6-10-96	DeCoster Farms of Iowa (19 sites)	Admin. Order	WW	Clark	Proposed decision 11/25/96. 12/27/96 - Appealed to EPC 12/27/96.
6-10-96	DeCoster Farms of Iowa (5 sites)	Permit Denial	WR	Clark	Proposed decision 11/25/96. 12/27/96 - Appealed to EPC.
6-17-96	Winsor Oil Co., Inc. ; Joyce Winsor	Admin. Order/Penalty	UT	Wornson	Hearing set for 2/20-21/97. Compliance initiated. CADR received/approved.
6-19-96	Appanoose Co. Sanitary Landfill	Permit Modification Denial	SW	Kennedy	Negotiating before filing.
6-25-96	Bernie Brauns d/b/a Brauns Waste Mgmt. & Excavating	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.

Environmental Protection Commission Minutes

March 1997

7-08-96	Becker Gravel Co., Inc.	Admin. Order/Penalty	WW/FP	Clark	Negotiating before filing.
7/17/96	Richard L. Magdefrau	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
8/01/96	DeCoster Farms of Iowa (Nursery Unit 7 - Wright Co.)	Permit Denial	WW	Clark	Proposed decision 11/25/96. 12/27/96 - Appealed to EPC.
8/01/96	DeCoster Farms of Iowa (Boomsma Egg Site #1)	Admin. Order/Penalty	WW	Clark	Hearing continued - date to be set.
8/02/96	Gene Hammen d/b/a Maple Grove Hog Producers	Permit Denial	WW	Clark	Hearing held 9/23/96. Proposed decision 2/10/97. Appealed to EPC 2/26/97.
8/09/96	Gene and Margaret Palmersheim d/b/a G & M Service Mart	Admin. Order/Penalty	UT	Wornson	Negotiating before filing.
8/19/96	Capitol Oil Co., Inc. d/b/a Dakota Mobile Home Park	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
8/23/96	Waste Management & Design (Monfort)	Admin., Order/Penalty	WW/SW	Kennedy	Settlement pending.
8/30/96	Howard Victor & Wanda Victor	Admin. Order/Penalty	UT	Wornson	Closed facility. Negotiating penalty.
8/30/96	LeRoy E. Navratil	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
9/04/96	Ag Processing, Inc./Sheldon Facility	Permit Denial	AQ	Preziosi	Negotiating before filing.
9/24/96	North Star Steel Iowa	Permit Denial	AQ	Preziosi	Negotiating before filing.
10/11/96	DeCoster Farms of Iowa (96-WW-32).	Admin. Order	WW	Clark	Hearing continued indefinitely.
10/17/96	DeCoster Farms of Iowa (Nursery Unit 3 - Wright Co.)	Permit Revocation	WW	Clark	Hearing continued indefinitely.
10/28/96	Fischer Controls International	Permit Conditions	WW	Hansen	Negotiating before filing.
10/28/96	Holliman Ltd.	Admin. Order/Penalty	SW/WW	Murphy	Negotiating before filing.
11/01/96	Joseph Barragy and Tom Barroy d/b/a J & M Woodshavings	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing..
11/05/96	Marvin Low d/b/a Low's DX	Admin. Order/Penalty	UT	Wornson	New case. Tanks temporarily closed. Negotiating penalty.
11/07/96	Don Ridenour	Admin.	WW	Clark	Settlement proposed 2/21/97.

		Order/Penalty			
11/07/96	Todd L. Salow	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
11/08/96	Caseys General Stores, Inc.	Mean Time to Corrosion Failure	UT	Wornson	Settlement conference held 2/17/97.
11/08/96	Carroll, City of	Admin. Order/Penalty	WS	Hansen	Negotiating before filing.
11/25/96	Camp Golden Valley	Admin. Order/Penalty	WW	Kennedy	Negotiating before filing.
12/02/96	Organic Technologies Corp.	Permit Denial	SW	Murphy	Sent to DIA.
12/05/96	Organic Technologies Corp. -----91-SDP-02-94P	Admin. Order/Penalty Intended Permit Revocation	SW	Murphy	Hearing set for 4/3/97.
12/11/96	Ames, City of	Denial of Waiver	WS	Hansen	Hearing set for 3/12/97.
1/02/97/	Ruan Leasing Co., aka Ruan Transportation Management Systems	Admin. Order	AQ	Preziosi	Negotiating before filing.
1/20/97	Iowa Tanklines, Inc.	Admin. Order/Penalty	UT	Wornson	Settlement conference held.
1/22/97	Rock Island District Corps of Engineers	401 Certification Denial	WQ	Hansen	Hearing set for 3/27/97.
1/23/97	Rod Bice	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
1/28/97	Ralene Hawkins d/b/a R.J. Express Salvage & Demolition; Clara Lindstadt	Admin. Order/Penalty	SW/AQ	Kennedy	Negotiating before filing.
2/07/97	Craig Burgin	Admin. Order/Penalty	UT	Wornson	New case. Compliance initiated.
2/19/97	Cliff's Place, Inc.	Admin. Order/Penalty	WS	Hansen	New case.
2/20/97	Bellevue Golf Club	Admin. Order/Penalty	WS	Kennedy	New case.

Mr. Stokes briefly reviewed the monthly reports.

Chairperson King inquired as to the ruling on the DeCoster case.

Mr. Stokes indicated that he will ask the AG's Office to have someone come over and give an update on the DeCoster case at next month's meeting.

Mr. Stokes discussed a document listing the EPD Mission, Philosophy, and Statement of Principles which he distributed prior to the meeting. He introduced Jim Brown and asked him to give a slide presentation on the EPD's inclusion on the Internet.

Jim Brown stated that over the last few months he has created an Internet presence for EPD to provide people with information on rules, OTAG, etc. He expanded on details on the content of information provided and explained how to pull it up. He noted that it will advertised to let people know of its availability.

Al Stokes commented that eventually the state will put departmental rules on-line.

Chairperson King asked if a person could access a permit application form on the Internet.

Mr. Stokes replied that Jim and staff are working on that type of thing and will eventually lead to computer-to-computer applications.

INFORMATIONAL ONLY

Chairperson King stated that Don Paulin has to go to the Capitol soon, so the Legislation Item will be taken up at this point to accomodate his schedule.

LEGISLATION REPORT

Don Paulin, Deputy Director, stated that last week was funnel week at the legislature. He noted that the three bills proposed by the Commission made it through and are ready for floor action. He related that the bill dealing with the revolving fund on drinking water was signed by the Governor and enacted on March 7.

Other bills of interest are as follows:

- HHM bill - does away with labeling in stores and strikes some of the materials from HHM designation.
- Two bills on tonnage fees - one bill would considerably reduce fees - has been watered down and affected parties (ISOSWO) want to retain or have a refund of approximately \$1.00/ton. The department agreed that if they met the first goal we would agree to legislation that would allow them to retain 25 cents.
- Three livestock bills in the Senate - one would require DNR to inspect every earthen structure every year. One bill would ban new construction permits in ag drainage well areas and would also require closing ag drainage wells within the drainage area of a permitted livestock confinement.

- One bill would ban waste oil filters from going into landfills.
- Two waste tire bills - one raises the number of tires auto dealers could have on site to 3,500; the other bill would extend the deadline to comply with having to post the 85-cent/tire financial responsibility.
- Environmental Audit Bill - still working in both branches
- Bill to Create Brownfields Legislation - still working in both branches

INFORMATIONAL ONLY

AIR QUALITY PROGRAM STATUS UPDATE

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be given an update on various issues relative to the Air Quality Program. These will include a staffing update, budget update, update on implementation of the file imaging system, rule development update and other programmatic issues.

The Commission will be sent additional information under separate cover prior to the meeting.

Mr. Stokes reviewed that the Commission was sent the agenda for the recent Client Contact Group Meeting, Staffing Report, List of Site Visits, and Air Quality Budget Information for FY-97. He expanded on each of these items and gave an update on recent staff hirings and the imaging system.

Discussion followed regarding site visits and the budget.

Chairperson King asked if the FY 96 Budget could be included on future reports so it could serve as a benchmark for comparison purposes.

Mr. Stokes related that it would be difficult to make those comparisons because current circumstances are so different, i.e. physical location, additional staff, additional equipment, etc.

Further discussion took place regarding fees/appropriations for the budget, and the good participation with the Client Contact Group.

INFORMATIONAL ONLY

AIR QUALITY BUDGET - SFY 1998

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be provided a copy of a proposed budget for the Air Quality Bureau for State Fiscal Year 1998 at the Commission meeting. At their May 1997 meeting the Commission will be asked to approve Title V Permit fees for fiscal year 1998 based on the proposed budget and total emissions data collected from sources subject to Title V permit fees.

Mr. Stokes distributed copies of the SFY 98 Budget and explained that column (7220) is grant and state match money, and column (7230) is Title V Operating Permit Fees. He expanded on various areas of the budget. He stated the bottom line is that if the fee is left at \$22.10, the balance at the end of FY 98 would be \$53,000. He added that considering the budget is \$8.1 million that balance would be cutting it pretty close. Mr. Stokes related that he will ask the Commission to establish and approve a FY 98 fee at the May meeting. He distributed copies of a list of "Summary of Title V Rates for Certain States."

INFORMATIONAL ONLY

FINAL RULE--CHAPTERS 20 AND 22, POTENTIAL TO EMIT FOR EMERGENCY GENERATORS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be asked to approve the attached amendments to Chapters 20, and 22 - 567 IAC. This rule amends the definition of "potential to emit" for construction and Title V operating permits, as the term specifically applies to emergency generators. The U.S. EPA has issued guidance relaxing this definition for emergency generators.

Under current rule, potential to emit is a throughput estimate based on year-round operation of the source at the sources' maximum rate of operation. However, unique inherent physical limitations and operational design features restrict the potential emissions of emergency generators. If these limitations are not taken into account, potential emissions for these sources could be overestimated. Emergency generators, to which the amended definitions apply, may not need a Title V operating permit and may not need to pay the Title V fee.

Four changes have been made to the rule originally Noticed as a result of comments received during the public comment period. In item 1 and 3, "interruption of electrical power" is used in place of "unavailable," and the following language was added, "An emergency is an unforeseeable condition that is beyond the control of the owner or operator." In item 2 and 4, language has also been added to clarify when the facility may use 500 hours per year for the maximum capacity in place of 8760 hours per year. In item 2 the following language was added, "If the source is subject to new source construction permit review, then potential to emit is defined as stated above or as established in a federally enforceable permit."

ENVIRONMENTAL PROTECTION COMMISSION [567]

Filed and Adopted

Pursuant to the authority of Iowa Code section 455B.133, the Environmental Protection Commission hereby adopts amendments to Chapter 22, "Controlling Pollution," Iowa Administrative Code.

October 9, 1996, a Notice of Intended Action (ARC 6790A) was published to provide an opportunity for public comment on the proposed rule. A public hearing was held on November 7, 1996. Three written and no oral comments were received. Four changes were made to the Notice of Intended Action as a result.

Item 1 adds the definition of "emergency generator," to 567--20.2, pertaining to construction permits. Changes made to this item as a result of comments include: "interruption of electrical power" used in place of "unavailable," a statement added to define "emergency" as "an unforeseeable condition that is beyond the control of the owner or operator," and addition of the following statement, "If the source is subject to new source construction permit review, than potential to emit is defined as stated above or as established in a federally enforceable permit."

Item 2 amends the definition of "potential to emit" as the term specifically applies to emergency generators, to 567--20.2, pertaining to construction permits. As a result of comments additional language has been added to this item to clarify when the facility may use 500 hours per year for the maximum capacity in place of 8760 hours per year.

Item 3 adds the definition of "Emergency generator" to 567--22.100(455B), pertaining to Title V Operating Permits. Changes made to this item as a result of comments include: "interruption of electrical power" used in place of "unavailable," and a statement added to define "emergency" as "an unforeseeable condition that is beyond the control of the owner or operator."

Item 4 amends the Title V definition of "Potential to emit" as the term specifically applies to emergency generators. Under the current rule, potential to emit for these sources is a throughput estimate based upon year-round operation of the sources at the sources' maximum rate of operation. As a result of comments additional language has been added to this item to clarify when the facility may use 500 hours per year for the maximum capacity in place of 8760 hours per year.

These amendments are intended to implement Iowa Code section 455B.133.

The following amendments are adopted.

ITEM 1. Amend **567--20.2(455B)** by adding the following new definition, in alphabetical order:

"Emergency generator" means any generator of which the sole function is to provide emergency backup power during an interruption of electrical power from the electric utility. An emergency generator does not include:

- a. Peaking units at electric utilities;
- b. Generators at industrial facilities that typically operate at low rates, but are not confined to emergency purposes; or
- c. Any standby generators that are used during time periods when power is available from the electric utility.

An emergency is an unforeseeable condition that is beyond the control of the facility.

ITEM 2. Amend 567-- 20.2(455B), the definition of "Potential to emit," as follows:

"Potential to emit" means the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation is enforceable by the administrator. This term does not alter or affect the use of this term for any other purposes under the Act, or the term "capacity factor" as used in Title IV of the Act or the regulations relating to acid rain.

For the purpose of determining potential to emit for country grain elevators, the "maximum capacity" means the greatest amount of grain received by the elevator during one year of the previous five-year period, multiplied by an adjustment factor of 1.2.

For purposes of calculating potential to emit for emergency generators, "maximum capacity" means one of the following:

- a. 500 hours of operation annually, if the generator has actually been operated less than 500 hours per year for the past five years;
- b. 8760 hours of operation annually, if the generator has actually been operated more than 500 hours in one of the past five years; or
- c. the number of hours specified in a state or federally enforceable limit.

If the source is subject to new source construction permit review, than potential to emit is defined as stated above or as established in a federally enforceable permit.

ITEM 3. Amend 567--22.100(455B) by adding the following new definition, in alphabetical order:

"Emergency generator" means any generator of which the sole function is to provide emergency backup power during an interruption of electrical power from the electric utility. An emergency generator does not include:

- a. Peaking units at electric utilities;
- b. Generators at industrial facilities that typically operate at low rates, but are not confined to emergency purposes; or
- c. Any standby generators that are used during time periods when power is available from the electric utility.

An emergency is an unforeseeable condition that is beyond the control of the facility.

ITEM 4. Amend 567--22.100(455B), the definition of "Potential to emit," as follows:

"Potential to emit" means the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation is enforceable by the administrator. This term does not alter or affect the use of this term for any other purposes under the Act, or the term "capacity factor" as used in Title IV of the Act or the regulations relating to acid rain.

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- b. 8760 hours of operation annually, if the generator has actually been operated more than 500 hours in one of the past five years; or
- c. the number of hours specified in a state or federally enforceable limit.

Date

Larry J. Wilson, Director

(A copy of the Responsiveness Summary is on file in the department's Records Center)

Mr. Stokes explained the rule and changes made to the Notice of Intended Action as a result of public comment. He noted that the rule extended the definition of "potential to emit" for emergency generators that is applicable for Title V permit purposes, to construction permits. He reviewed details of the changes made and related that the Commission has the option to accept the changes or go with the original version.

William Ehm asked if the affected parties know about EPA's recommendation on this rule.

Mr. Stokes noted that it has been thoroughly discussed with the Client Contact Group.

Discussion followed in regard to why EPA is objecting.

Motion was made by William Ehm to approve Final Rule--Chapters 20 and 22, Potential to Emit for Emergency Generators as presented by staff. Seconded by Terrance Townsend. Motion carried unanimously.

APPROVED AS PRESENTED

FINAL RULE--CHAPTERS 22 AND 23, AIR QUALITY AMENDMENTS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be asked to approve the attached rule amendments to Chapter 22, "Controlling Pollution," and Chapter 23, "Emission Standards for Contaminants," Iowa Administrative Code. The purpose of the amendments is as follows:

Item 1 would amend subrule 22.1(2) to add the National Emissions Standards for Hazardous Air Pollutants (NESHAP) contained in 40 CFR Part 63 to the list of rules specifically applicable when determining whether a source is exempt from the requirement to obtain a construction permit.

Item 2 would amend paragraphs 22.1(2)"a" and 22.1(2)"b" to clarify that the construction permit exemption applying to fuel-burning equipment for indirect heating and reheating furnaces or cooling units using natural gas or liquefied petroleum gas is limited to sources with a capacity of less than 10 million Btu's per hour input per combustion unit.

Item 3 would revise subrule 22.2(1) to allow 60 rather than 30 days for an applicant to submit additional information prior to permit denial.

Item 4 would remove the chemical compound Caprolactam (Case No. 105602) from the list of "Hazardous air pollutants." This delisting was initiated by EPA in response to a petition filed by several chemical companies.

Item 5 would amend paragraph 22.101(1)"c" to specify that sources required to obtain a Title V operating permit include sources subject to subrule 23.1(4) (emission standards for hazardous air pollutants for sources categories) and to clarify which sources must obtain Title V permits and what information must be included in the permit application for certain sources.

Item 6 would amend subrule 22.101(2) to clarify that once the final promulgation of a federal standard occurs under the provisions of 40 CFR Part 60 or 63 to which the source is subject, the source must obtain a Title V permit. This item would also change the date of deferral for eligible sources for obtaining a Title V operating permit to December 9, 1999. Eligible sources are those listed in subrule 22.101(1) that are not major sources, affected sources, or solid waste incineration units required to obtain a permit pursuant to Section 129(e) of the Act. This item also would clarify that sources receiving a deferral under this rule shall submit Title V permit applications within 12 months of this date.

Item 7 would exempt from obtaining a Title V operating permit any decorative chromium electroplating operation or chromium anodizing operation that uses fume suppressants as an emission reduction technology; and any decorative chromium electroplating operation that uses a trivalent chromium bath that incorporates a wetting agent as a bath ingredient that are not by themselves major sources and that are not located at major sources, as defined under 40 CFR 70.2. Item 7 would also exempt from obtaining a Title V operating permit any batch cold solvent cleaning machine as defined in 40 CFR 63 Subpart T that is not itself a major source and that is not located at a major source. These exemptions are in response to EPA's action to permanently exempt certain sources from Title V permitting requirements.

Item 8 would amend paragraph 22.103(2)"d" to clarify that insignificant activities for purposes of Title V operating permit applications include fuel-burning equipment for indirect heating and reheating furnaces or cooling units using natural gas or liquefied petroleum gas only when the capacity of those sources is limited to less than 10 million Btu per hour input per combustion unit, and fuel-burning equipment for indirect heating is included only when the capacity of those sources is limited to less than 1 million Btu per hour input per combustion unit when burning coal, untreated wood, or fuel oil.

Item 9 would amend subrule 22.105(2) to further specify the information that must be included in a Title V permit application for certain sources.

Item 10 would amend subrule 22.106(1) to clarify the basis for Title V permit fees.

Item 11 would establish a new rule 22.148, adopting by reference part of the Code of Federal Regulations allowing combustion or process sources which emit sulfur dioxide to elect to become affected units under the provisions of the Acid Rain Program.

Item 12 would amend paragraph 22.201(1)"a" to clarify that in order to obtain a voluntary operating permit all the requirements contained in this subrule must be met.

Item 13 would amend subrule 22.201(2) to clarify the requirement for eligibility to obtain a voluntary operating permit and would change the eligibility date for some sources subject to this subrule. The new date to be included, December 9, 1999, will coincide with EPA's deferral date.

Items 14 and 15 would amend rule 22.202(455B) and subrule 22.203(1) to add an application shield for sources applying for voluntary operating permits. Item 15 also changes subrule 22.203(1) to specifically require that an original of the application be submitted to the department.

Item 16 would change the date by which sources restricted by paragraphs 22.300(3)"b" and 22.300(3)"c" may operate under the provisions of the permit by rule for small sources. The new date would be December 9, 1999, which coincides with EPA's deferral date.

Item 17 would amend paragraph 22.300(8)"a" to add an application shield for sources attempting to comply with the provisions of the operating permit by rule for small sources.

Item 18 would add municipal solid waste landfills (Subpart WWW) and emission guidelines and compliance times for municipal solid waste landfills (Subpart Cc) to the list of source categories affected by new source performance standards.

Item 19 would change the catchwords of subrule 23.1(4) from "Emission standards for hazardous air pollutants" to "Emission standards for hazardous air pollutants for source categories" to clarify the purpose of the subrule. This amendment also would include all updates and changes to 40 CFR Part 63 through June 24, 1996. Updates include an amendment to the National Emission Standards for Hazard Air Pollutants (NESHAP) for Source Categories; Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) and Other Processes Subject to the Negotiated Regulation for Equipment Leaks. The subrule would be revised to provide a deferral of HON (Hazardous Organic NESHAP) requirements for source owners or operators eligible to make an area source certification and to establish minimum documentation requirements. Revisions would include extending the compliance date for certain compressors and for surge control vessels and bottoms receivers to allow the time necessary for installation of controls. The applicability of control requirements for surge control vessels and bottoms receivers would be revised to reduce confusion over the rule. In addition, the SOCMI NESHAP would be amended to revise the date for submittal of those area source certifications and to clarify the wording of the documentation requirements. Additionally, these amendments would remove three compounds (glycerol tri-(polyoxypropylene) ether, polyethylene glycol, and polypropylene glycol) from the list of chemical production processes regulated by the HON.

Amendments to the NESHAP for Gasoline Distribution (Stage 1) would extend the initial compliance date for the equipment leak provisions applicable to existing sources and would extend the date by which an existing facility must provide an initial notification. The

NESHAP for Shipbuilding and Ship Repair (Surface Coating) Operations would contain a revised compliance date for sources subject to this standard and a revised submittal date for implementation plans. Other corrections and clarifications in the regulatory text of the final rules would include the following NESHAP source categories: SOCMI, Halogenated Solvent Cleaning, Gasoline Distribution (Stage I), Hard and Decorative Chromium Anodizing Tanks, Petroleum Refineries, and Aerospace Manufacturing and Rework Facilities.

Item 20 would add emission standards for hazardous air pollutants (NESHAP) for Group I Polymers and Resins as new paragraph 23.2(4)"u." This rule applies to existing and new major sources that emit organic hazardous air pollutants during the manufacture of one or more elastomers including but not limited to butyl rubber, halobutyl rubber, epichlorohydrin elastomers, ethylene propylene rubber, Hypalon™, neoprene, nitrile butadiene rubber, nitrile butadiene latex, polybutadiene rubber/styrene butadiene rubber by solution, polysulfide rubber, styrene butadiene rubber by emulsion, and styrene butadiene latex. By implementing this standard, there is the potential for reduction in Styrene, n-hexane, 1,3-butadiene, acrylonitrile, methyl chloride, hydrogen chloride, carbon tetrachloride, chloroprene, and toluene. Some of these pollutants are considered to be mutagens and carcinogens and all can cause reversible or irreversible toxic effects following exposure.

Item 21 would add emission standards for marine tank vessel loading operations. These standards require existing and new major sources to control hazardous air pollutants (HAP) emissions using maximum achievable control technology (MACT) as new paragraph 23.1(4)"y." Sources required to reduce emissions are also required to monitor the performance of the control technology used to achieve the required emissions reductions. Sources are also required to develop and implement an operation and maintenance plan that describes a program of corrective action for varying (i.e., exceeding baseline parameters) air pollution control equipment and monitoring equipment. Compliance is assured through reporting and record keeping. These standards have been federally promulgated along with standards under Section 183(f) of the Clean Air Act which require reasonably available control technology (RACT) to limit air emissions of volatile organic compounds (VOC). Iowa is not presently adopting the RACT standards or standards for the Valdez Marine Terminal (VMT). For this reason only the following are being excepted from adoption: § 63.560 (b), (e) (2), (3), and § 63.562 (c), (d).

Item 22 would add emission standards for hazardous air pollutants (NESHAP) for off-site waste and recovery operations as new paragraph 23.1(4)"ad." This rule applies to major sources of HAP emissions which receive certain wastes, used oil, and used solvent from off-site locations for storage, treatment, recovery, or disposal at the facility. Regulated entities include but are not limited to businesses that operate any of the following: hazardous waste treatment, storage, and disposal facilities; Resource Conservation and Recovery Act (RCRA) exempt hazardous wastewater treatment facilities other than publicly owned treatment works; used solvent recovery plants; RCRA exempt hazardous waste recycling operations; used oil refineries. The regulations also apply to federal agency facilities that operate any of the waste management or recovery operations.

Item 23 would add emission standards for hazardous air pollutants (NESHAP) for the shipbuilding and ship repair (surface coating) operations as new paragraph 23.1(4)"ai." These standards require all existing and new major sources to control emissions using the maximum achievable control technology (MACT) to control hazardous air pollutants (HAP). All existing

and new shipbuilding and repair facilities located at major sources of HAP or located at plant sites that are major sources are subject to this regulation. Major source facilities must not apply any marine coating with a Volatile Hazardous Air Pollutant (VOHAP) content in excess of the applicable limit and must implement certain work practices.

Item 24 would add emission standards for hazardous air pollutants (NESHAP) from wood furniture manufacturing operations as new paragraph 23.1(4)"aj." These standards apply to each facility that is engaged, either in part or in whole, in the manufacture of wood furniture or wood furniture components and that is located at a plant site that is a major source. The standards include emission limits on hazardous air pollutants (HAP) contained in finishing materials, contact adhesives, and materials used for cleaning operations. The rule also includes work practice standards to reduce emissions from all sources of HAP emissions.

Item 25 would add emission standards for hazardous air pollutants (NESHAP) for the printing and publishing industry as new paragraph 23.1(4)"ak." These standards apply to existing and new major sources and require the control of hazardous air pollutants (HAP) emissions using the maximum achievable control technology (MACT). The NESHAP includes organic HAP emission limits for publication rotogravure, product and packaging rotogravure, and wide-web flexographic printing.

Item 26 would add emission standards for hazardous air pollutants (NESHAP) for Group IV polymers and resins as new paragraph 23.1(4)"bj." This rule applies to existing and new plant sites that emit organic hazardous air pollutants. The organic HAP are emitted during the manufacture of one or more of the following Group IV polymers and resins: acrylonitrile butadiene styrene resin (ABS), styrene acrylonitrile resin (SAN), methyl methacrylate acrylonitrile butadiene styrene resin (MABS), methyl methacrylate butadiene styrene resin (MBS), polystyrene resin, poly (ethylene terephthalate) resin (PET), and nitrile resin.

Notice of Intended action was published on November 20, 1996, in the Iowa Administrative Bulletin as ARC #6878A.

Changes have been made to the Notice. Items 6 and 13 have been changed to clarify that minor sources otherwise exempt from obtaining a Title V permit may, by requirement established in a NSPS or NESHAP regulation, be required to obtain a Title V permit.

Two changes have been made in the introductory paragraph of subrule 22.105(2). Language has been added to clarify that application forms must be obtained from the Department. This change removes the quotes and parenthesis around certain terms to clarify that those forms and instructions are not specifically titled as indicated in the rule. Also, the word "affect" has been changed to "cover" for added clarity.

In Item 18, the paragraph which was added to subrule 23.1(2) as "sss" has been removed. Amendments establishing emission guidelines for existing municipal solid waste landfills will be discussed in greater detail in future rule making.

ENVIRONMENTAL PROTECTION COMMISSION [567]

Adopted and Filed

Pursuant to the authority of Iowa Code section 455B.133, the Environmental Protection Commission hereby adopts amendments to Chapter 22, "Controlling Pollution," and Chapter 23, "Emission Standards for Contaminants," Iowa Administrative Code.

Item 1 would amend subrule 22.1(2) to add the National Emissions Standards for Hazardous Air Pollutants (NESHAP) contained in 40 CFR Part 63 to the list of rules specifically applicable when determining whether a source is exempt from the requirement to obtain a construction permit.

Item 2 would amend paragraphs 22.1(2)"a" and 22.1(2)"b" to clarify that the construction permit exemption applying to fuel-burning equipment for indirect heating and reheating furnaces or cooling units using natural gas or liquefied petroleum gas is limited to sources with a capacity of less than 10 million Btu's per hour input per combustion unit.

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Item 7 would exempt from obtaining a Title V operating permit any decorative chromium electroplating operation or chromium anodizing operation that uses fume suppressants as an emission reduction technology; and any decorative chromium electroplating operation that uses a trivalent chromium bath that incorporates a wetting agent as a bath ingredient that are not by themselves major sources and that are not located at major sources, as defined under 40 CFR 70.2. Item 7 would also exempt from obtaining a Title V operating permit any batch cold solvent cleaning machine as defined in 40 CFR 63 Subpart T that is not itself a major source and that is not located at a major source. These exemptions are in response to EPA's action to permanently exempt certain sources from Title V permitting requirements.

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any marine coating with a Volatile Hazardous Air Pollutant (VOHAP) content in excess of the applicable limit and must implement certain work practices.

Item 24 would add emission standards for hazardous air pollutants (NESHAP) from wood furniture manufacturing operations as new paragraph 23.1(4)"aj." These standards apply to each facility that is engaged, either in part or in whole, in the manufacture of wood furniture or wood furniture components and that is located at a plant site that is a major source. The standards include emission limits on hazardous air pollutants (HAP) contained in finishing materials, contact adhesives, and materials used for cleaning operations. The rule also includes work practice standards to reduce emissions from all sources of HAP emissions.

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Item 26 would add emission standards for hazardous air pollutants (NESHAP) for Group IV polymers and resins as new paragraph 23.1(4)"bj." This rule applies to existing and new plant sites that emit organic hazardous air pollutants. The organic HAP are emitted during the manufacture of one or more of the following Group IV polymers and resins: acrylonitrile butadiene styrene resin (ABS), styrene acrylonitrile resin (SAN), methyl methacrylate acrylonitrile butadiene styrene resin (MABS), methyl methacrylate butadiene styrene resin (MBS), polystyrene resin, poly (ethylene terephthalate) resin (PET), and nitrile resin.

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Two changes have been made in the introductory paragraph of subrule 22.105(2). Language has been added to clarify that application forms must be obtained from the Department. This change removes the quotes and parenthesis around certain terms to clarify that those forms and instructions are not specifically titled as indicated in the rule. Also, the word "affect" has been changed to "cover" for added clarity.

In Item 18, the paragraph which was added to subrule 23.1(2) as "sss" has been removed. Amendments establishing emission guidelines for existing municipal solid waste landfills will be discussed in greater detail in future rule making.

These amendments may impact small businesses.

These amendments are intended to implement Iowa Code section 455B.133.

These amendments shall become effective May 14, 1997.

The following amendments are adopted.

ITEM 1. Amend subrule 22.1(2), introductory paragraph, as follows:

22.1(2) Exemptions. The provisions of this rule shall not apply to the following listed equipment or control equipment unless review of the equipment or control equipment is necessary to comply with rule 22.4(455B), prevention of significant deterioration requirements;

rule 22.5(455B), special requirements for nonattainment areas; 567—subrule 23.1(2), new source performance standards (40 CFR Part 60 NSPS); ~~or~~ 567—subrule 23.1(3), emission standards for hazardous air pollutants (40 CFR Part 61 NESHAP); or 567--subrule 23.1(4), emission standards for hazardous air pollutants for source categories (40 CFR Part 63 NESHAP), in which case a permit must be obtained. If equipment is permitted under the provisions of rule 22.8(455B), then no other exemptions shall apply to that equipment.

ITEM 2. Amend paragraphs 22.1(2)"a" and 22.1(2)"b" as follows:

a. Fuel-burning equipment for indirect heating and reheating furnaces or cooling units using natural gas or liquefied petroleum gas with a capacity of less than 10 million Btu per hour input per combustion unit.

b. Fuel-burning equipment for indirect heating or cooling with a capacity of less than 1 million Btu per hour input per combustion unit when burning coal, untreated wood or fuel oil. Used oils meeting the specification from 40 CFR 279.11 as amended through March 4, 1994, are acceptable fuels for this exemption.

ITEM 3. Amend subrule 22.2(1) as follows:

22.2(1) Incomplete applications. The department will notify the applicant whether the application is complete or incomplete. If the application is found by the department to be incomplete upon receipt, the applicant will be notified within 30 days of that fact and of the specific deficiencies. ~~Thirty~~ Sixty days following such notification, the application may be denied for lack of information. When this schedule would cause undue hardship to an applicant, or the applicant has a compelling need to proceed promptly with the proposed installation, modification or location, a request for priority consideration and the justification therefor shall be submitted to the department.

ITEM 4. Amend 567 --22.100(455B), definitions, by deleting "105602 Caprolactam" from the chemicals listed in the definition of "Hazardous air pollutant."

ITEM 5. Amend paragraph 22.101(1)"c" as follows:

c. Any source subject to a standard or other requirement under 567—subrule 23.1(2) (standards of performance for new stationary sources) or Section 111 of the Act; or 567—subrule 23.1(3) (emissions standards for hazardous air pollutants), 567--subrule 23.1(4) (emission standards for hazardous air pollutants for sources categories) or Section 112 of the Act, except that a source is not required to obtain a permit solely because it is subject to the provisions of Section 112(r) of the Act; Any source required to obtain a Title V operating permit solely because of the requirement imposed by this paragraph, and which is not a major source, is required to obtain a Title V permit only for the emissions units and related equipment causing the source to be subject to the Title V program;

ITEM 6. Amend subrule 22.101(2) as follows:

22.101(2) Title V deferred stationary sources. The requirement to obtain a Title V permit is deferred for all sources listed in 22.101(1) that are not major sources, affected sources, or solid waste incineration units required to obtain a permit pursuant to Section 129(e) of the Act, until five years from the effective date of these rules December 9, 1999, unless, by the final

promulgation of a federal standard to which the source is subject under the provisions of 40 CFR Part 60 or 40 CFR Part 63, a source is required to obtain a Title V permit. Each source receiving a deferral under the provisions of this rule shall submit a Title V permit application to the department within 12 months of the date when the requirement to obtain a Title V permit is no longer deferred for that source.

ITEM 7. Amend rule 22.102(455B) by adding the following new subrules:

22.102(3) Any decorative chromium electroplating operation or chromium anodizing operation using fume suppressants as an emission reduction technology; and any decorative chromium electroplating operation using a trivalent chromium bath incorporating a wetting agent as a bath ingredient if the source is not by itself a major source and is not located at a major source, as defined under 40 CFR 70.2.

22.102(4) Any batch cold solvent cleaning machine as defined in 40 CFR 63 Subpart T that is not itself a major source and that is not located at a major source as defined under 40 CFR 70.2.

ITEM 8. Amend subparagraphs 22.103(2)"d"(1) and 22.103(2)"d"(2) as follows:

(1) Fuel-burning equipment for indirect heating and reheating furnaces using natural or liquefied petroleum gas with a capacity of less than 10 million Btu per hour input per combustion unit.

(2) Fuel-burning equipment for indirect heating with a capacity of less than 1 million Btu per hour input per combustion unit when burning coal, untreated wood, or fuel oil.

ITEM 9. Amend subrule 22.105(2), introductory paragraph, as follows:

22.105(2) Standard application form and required information. To apply for a Title V permit, applicants shall complete the "Sstandard Ppermit Aapplication Fform" available only from the Department of Natural Resources, and supply all information required by the "filing instructions" found on that form. The information submitted must be sufficient to evaluate the source and its application and to determine all applicable requirements and to evaluate the fee amount required by rule 22.106(455B). If a source is not a major source and is applying for a Title V operating permit solely because of a requirement imposed by paragraph 22.101(1)"c," then the information provided in the operating permit application may cover only the emissions units that trigger Title V applicability. The applicant shall submit the information called for by the application form for each emissions unit to be permitted, except for activities which are insignificant according to the provisions of rule 22.103(455B). The applicant shall provide a list of all insignificant activities and specify the basis for the determination of insignificance for each activity. Nationally standardized forms shall be used for the acid rain portions of permit applications and compliance plans, as required by regulations promulgated under Title IV of the Act. The standard application form and any attachments shall require that the following information be provided:

ITEM 10. Amend subrule 22.106(1) as follows:

22.106(1) Fee established. Any person required to obtain a Title V permit shall pay an annual fee based on the total tons of actual emissions of each regulated air pollutant, beginning November 15, 1994. Beginning July 1, 1996, Title V operating permit fees will be paid on July

1 of each year. The fee shall be based on actual emissions required to be included in the Title V operating permit application and the annual emissions statement for the previous calendar year. The department and the commission will review the fee structure on an annual basis and adjust the fee as necessary to cover all reasonable costs required to develop and administer the programs required by the Act. The department shall submit the proposed budget for the following fiscal year to the commission no later than the March meeting. The commission shall set the fee based on the reasonable cost to run the program and the proposed budget no later than the May commission meeting of each year. The commission shall provide an opportunity for public comment prior to setting the fee. The commission shall not set the fee higher than \$24 per ton without adopting the change pursuant to formal rule making.

ITEM 11. Amend 567--Chapter 22 by adding a new rule as follows:
567--22.148(455B) Sulfur dioxide opt-ins. The department adopts by reference the provisions of 40 CFR Part 74, Acid Rain Opt-Ins, as amended through April 4, 1995.

ITEM 12. Amend paragraph 22.201(1)"a" as follows:
a. That the potential to emit, as limited by the conditions of air quality permits obtained from the department, of each regulated air pollutant shall be limited to less than 100 tons per 12-month rolling period. The fugitive emissions of each regulated air pollutant from a stationary source shall not be considered in determining the potential to emit unless the source belongs to one of the stationary source categories listed in this chapter; and

ITEM 13. Amend paragraph 22.201(2)"b" as follows:
b. Sources which are not major sources but subject to a standard or other requirement under 567—subrule 23.1(2) (standards of performance for new stationary sources) or Section 111 of the Act; ~~or~~ 567—subrule 23.1(3) (emissions standards for hazardous air pollutants), 567--subrule 23.1(4) (emissions standards for hazardous air pollutants for source categories) or Section 112 of the Act are eligible for a voluntary operating permit only until ~~five years from April 20, 1994~~ December 9, 1999, unless, by the final promulgation of a federal standard to which the source is subject under 40 CFR Part 60 or 40 CFR Part 63, a source is required to obtain a Title V permit. These sources shall be required to obtain a Title V operating permit when the deferment period specified in 567—subrule 22.101(2) has expired or as required by a standard promulgated under 40 CFR Part 60 or 63.

ITEM 14. Amend rule 567--22.202(455B) as follows:
567--22.202(455B) Requirement to have a Title V permit. No source may operate after the time that it is required to submit a timely and complete application for an operating permit, except in compliance with a properly issued Title V operating permit or a properly issued voluntary operating permit or operating permit by rule for small sources. However, if a source submits a timely and complete application for permit issuance (including renewal), the source's failure to have a permit is not a violation of this chapter until the director takes final action on the permit application, except as noted in this rule. In that case, all terms and conditions of the permit shall remain in effect until the renewal permit has been issued or denied. This protection shall cease to apply if, subsequent to the completeness determination, the applicant fails to

submit, by the deadline specified in writing by the director, any additional information identified as being needed to process the application.

ITEM 15. Amend subrule 22.203(1), introductory paragraph, as follows:

22.203(1) Duty to apply. Any source which would qualify for a voluntary operating permit and which would not qualify under the provisions of rule 22.300(455B). Operating permit by rule for small sources, must apply for either a voluntary operating permit or a Title V operating permit. Any source determined not to be eligible for a voluntary operating permit shall be subject to enforcement action for operation without a Title V operating permit, except as provided for in rule 22.202(455B) and rule 22.300(455B). For each source applying for a voluntary operating permit, the owner or operator or designated representative, where applicable, shall present or mail to the Air Quality Bureau, Iowa Department of Natural Resources, Wallace State Office Building, 900 East Grand Avenue, Des Moines, Iowa 50319-0034, at least two copies an original and one copy of a timely and complete permit application in accordance with this rule.

ITEM 16. Amend paragraphs 22.300(3)"b" and 22.300(3)"c" as follows:

b. Sources which meet the registration criteria established in 22.300(2)"a" and meet all applicable requirements of rule 22.300(455B), and are subject to a standard or other requirement under 567---subrule 23.1(2) (standards of performance for new stationary sources) or Section 111 of the Act are eligible for an operation permit by rule for small sources only until ~~five years from April 20, 1994~~ December 9, 1999. These sources shall be required to obtain a Title V operating permit when the deferment period specified in subrule 22.101(2) has expired. Sources subject to standards contained in Section 111 or 112 of the Act shall not be eligible to obtain a voluntary operating permit unless they are also exempted from Title V by rule 22.102.

c. Sources which meet the registration criteria established in 22.300(2)"a" and meet all applicable requirements of rule 22.300(455B), and are subject to a standard or other requirement under 567---subrule 23.1(3) (emissions standards for hazardous air pollutants), 567--subrule 23.1(4) (emissions standards for hazardous air pollutants for source categories) or Section 112 of the Act are eligible for an operating permit by rule for small sources only until ~~five years from April 20, 1994~~ December 9, 1999, or until the final promulgation of a federal standard under 40 CFR Part 60 or 40 CFR Part 63 to which the source is subject, whichever is earlier. These sources shall be required to obtain a Title V or voluntary operating permit when the deferment period specified in subrule 22.101(2) has expired or no longer applies.

ITEM 17. Amend paragraph 22.300(8)"a" as follows:

a. Duty to apply. Any person who owns or operates a source otherwise required to obtain a Title V operating permit and which would be eligible for an operating permit by rule for small sources must either register for an operating permit by rule for small sources, apply for a voluntary operating permit, or apply for a Title V operating permit. Any source determined not to be eligible for an operating permit by rule for small sources, and operating without a valid Title V or a valid voluntary operating permit, shall be subject to enforcement action for operation without a Title V operating permit, except as provided for in the application shield provisions contained in rules 22.104(455B) and 22.202(455B). For each source registering for an operating permit by rule for small sources, the owner or operator or designated representative,

where applicable, shall present or mail to the Air Quality Bureau, Iowa Department of Natural Resources, Wallace State Office Building, 900 East Grand Avenue, Des Moines, Iowa 50319-0034, one original and one copy of a timely and complete registration form in accordance with this rule.

ITEM 18. Amend subrule 23.1(2) by adding the following new paragraph:

rrr. Municipal solid waste landfills, as defined by 40 CFR 60.75(1). Each municipal solid waste landfill that commenced construction, reconstruction or modification or began accepting waste on or after May 30, 1991, must comply. (Subpart WWW)

ITEM 19. Amend subrule 23.1(4), introductory paragraph, as follows:

23.1(4) Emission standards for hazardous air pollutants for source categories. The federal standards for emissions of hazardous air pollutants for source categories, 40 Code of Federal Regulations Part 63 as amended through ~~March 8, 1995~~ June 24, 1996, are adopted by reference, except 40 CFR §§63.12, 63.14, 63.15, 63.560 (b), (e) (2), (3), and 63.562 (c), (d), and shall apply to the following affected facilities. The corresponding 40 CFR Part 63 Subpart designation is in parentheses. Test methods (Appendix A), sources defined for early reduction provisions (Appendix B), and determination of the fraction biodegraded (F_{bio}) in a biological treatment unit (Appendix C) of Part 63 also apply to the affected activities or facilities. For the purpose of this subrule "Hazardous air pollutant" has the same meaning found in 567---22.100(455B). For the purposes of this subrule a "major source" means any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants, unless a lesser quantity is established, or in the case of radionuclides, where different criteria are employed. For the purposes of this subrule an "area source" means any stationary source of hazardous air pollutants that is not a major stationary source as defined in this paragraph. Paragraph 23.1(4)"a," general provisions (Subpart A) of Part 63, shall apply to owners or operators who are subject to subsequent subparts of 40 CFR 63 (except when otherwise specified in a particular subpart or in a relevant standard) as adopted by reference below.

ITEM 20. Amend subrule 23.1(4) by adding the following new paragraph "u":

u. Emission standards for hazardous air pollutants: Group I polymers and resins. Applicable to existing and new major sources that emit organic HAP during the manufacture of one or more elastomers including but not limited to producers of butyl rubber, halobutyl rubber, epichlorohydrin elastomers, ethylene propylene rubber, Hypalon™, neoprene, nitrile butadiene rubber, nitrile butadiene latex, polybutadiene rubber/styrene butadiene rubber by solution, polysulfide rubber, styrene butadiene rubber by emulsion, and styrene butadiene latex. MACT is required for major sources. (Subpart U)

ITEM 21. Amend subrule 23.1(4) by adding the following new paragraph "y":

y. Emission standards for marine tank vessel loading operations. This standard requires existing and new major sources to control emissions using maximum achievable control technology (MACT) to control hazardous air pollutants (HAP). (Subpart Y)

ITEM 22. Amend subrule 23.1(4) by adding the following new paragraph "ad":

ad. Emission standards for hazardous air pollutants for off-site waste and recovery operations. This rule applies to major sources of HAP emissions which receive certain wastes, used oil, and used solvents from off-site locations for storage, treatment, recovery, or disposal at the facility. Maximum achievable control technology (MACT) is required to reduce HAP emissions from tanks, surface impoundments, containers, oil-water separators, individual drain systems and other material conveyance systems, process vents, and equipment leaks. Regulated entities include but are not limited to businesses that operate any of the following: hazardous waste treatment, storage, and disposal facilities; Resource Conservation and Recovery Act (RCRA) exempt hazardous wastewater treatment facilities other than publicly owned treatment works; used solvent recovery plants; RCRA exempt hazardous waste recycling operations; used oil re-refineries. The regulations also apply to federal agency facilities that operate any of the waste management or recovery operations. (Subpart DD)

ITEM 23. Amend subrule 23.1(4) by adding the following new paragraph "ai":

ai. Emission standards for hazardous air pollutants for shipbuilding and ship repair (surface coating) operations. Requires existing and new major sources to control hazardous air pollutant (HAP) emissions using the maximum achievable control technology (MACT). (Subpart II)

ITEM 24. Amend subrule 23.1(4) by adding the following new paragraph "aj":

aj. Emission standards for hazardous air pollutants for hazardous air pollutant (HAP) emissions from wood furniture manufacturing operations. These standards apply to each facility that is engaged, either in part or in whole, in the manufacture of wood furniture or wood furniture components and that is located at a plant site that is a major source. (Subpart JJ)

ITEM 25. Amend subrule 23.1(4) by adding the following new paragraph "ak":

ak. Emission standards for hazardous air pollutants for the printing and publishing industry. Existing and new major sources are required to control hazardous air pollutants (HAP) using the maximum achievable control technology (MACT). Affected units are publication rotogravure, product and packaging rotogravure, and wide-web flexographic printing. (Subpart KK)

ITEM 26. Amend 23.1(4) by adding the following new paragraph "bj":

bj. Emission standards for hazardous air pollutants: Group IV polymers and resins. Applicable to existing and new major sources that emit organic HAP during the manufacture of the following polymers and resins: acrylonitrile butadiene styrene resin (ABS), styrene acrylonitrile resin (SAN), methyl methacrylate acrylonitrile butadiene styrene resin (MABS), methyl methacrylate butadiene styrene resin (MBS), polystyrene resin, poly (ethylene terephthalate) resin (PET), and nitrile resin. MACT is required for major sources. (Subpart JJJ)

Date

Larry J. Wilson, Director

(A copy of the Responsiveness Summary is on file in the department's Records Center)

Mr. Stokes briefly explained the rules noting that they are a system of rule changes intended to keep the department matched up with corresponding changes that were made at the federal level.

Motion was made by Terrance Townsend to approve Final Rule--Chapters 22 and 23, Air Quality Amendments. Seconded by William Ehm. Motion carried unanimously.

APPROVED AS PRESENTED

GENERAL DISCUSSION

OTAG

Mr. Stokes reported that there is a process taking place at the federal level that purports to be trying to decide what the problems are in the NE quarter relative to ozone formation. He related they would have us believe that the solution to the problem for Chicago, Milwaukee and points NE are for the rest of us to reduce our emissions because it is somehow being transported there. He noted that the OTAG group has no power to make decisions on this, as it is something that EPA Headquarters would do. He related that EPA Headquarters used the OTAG group to have the states participatory in the process. He added that they seem to be ignoring scientific evidence and information. Mr. Stokes stated that Pete Hamlin has been tracking the OTAG process and has been keeping the department and the Client Contact Group informed. He noted that there has been some work done using EPA model and sound scientific input that clearly indicates that Iowa is not part of the problem. He noted that Iowa will probably receive a SIP call from EPA in the near future on this issue. Mr. Stokes stated that the legislature is looking at the possibility of a bill to provide legislative oversight in the matter. He added that some of the states have indicated the potential for legal action.

Discussion followed in regard to possible legal action.

Mr. Stokes stated that at the next meeting he will give the Commission the same presentation that has been given to the Client Contact Group.

Joint Meeting with Board of Health

Charlotte Mohr reported on the recent joint meeting with the Board of Health. She and Rita Venner met with several representatives of the health board and had a roundtable discussion

on efforts they might jointly undertake. She related that some possibilities of joint efforts could include Toxic Cleanup Days, rules analysis, legislation items, critical issues, and grants. She added that to prepare for the year 2020 is another area to look at on health issues as well as the environment.

Rita Venner noted that it was suggested to exchange the meeting minutes of the two boards so they can keep updated on each others doings. She added that it was a very informative meeting.

Metro Waste Authority

Catherine Huggins, Metro Waste Authority, told the Commission she had some information come through at the noon hour that if she had earlier she would have asked to speak at Public Participation. She requested to speak at this point and the Commission granted her request.

Ms. Huggins stated that this issue deals specifically with legislation that impacts the DNR, and that the MWA Executive Director talked to the Commission about last month. She noted that SF 390 dealing with solid waste tonnage fees came out of committee last Tuesday, and during the committee discussions Don Paulin related that he had told Senator Patty Judge the DNR had problems with the bill. He indicated the DNR would work with MWA and other sponsors to negotiate a consensus on the bill. Ms. Huggins expressed concern with a meeting held at DNR last Friday with LAFA recipients and that even though MWA was a LAFA recipient they did not receive a memo from DNR about the meeting. She related that the memo from DNR addressed problem areas with the legislation and how it might affect landfills. Ms. Huggins related that is was frustrating because the DNR did not bother to ask the MWA about the legislation or their intent in regard to the bill. She provided copies of the DNR memo to the Commission and noted that the MWA bill wanted to retain \$2.30 of the tonnage fees and target the grant program for those dollars, but they were willing to cut it to \$1.75. She related that DNR suggested 25 cents/ton for communities that reach 30% waste reduction goals. She added that the purpose behind the legislation is to help communities continue and maintain existing programs or look for other programs they can start towards the 50% and 25% waste reduction goals. Ms. Huggins told the Commission if they had any questions about the intent of the legislation she would be happy to respond to them. She added that the MWA wants to amend the legislation to make sure communities that have the programs, rather than just the planning agencies, would be rewarded for having those programs. She stated that the meeting was an inappropriate meeting and the MWA was blindsided. She related that they want to meet with DNR to continue to negotiate. Ms. Huggins mentioned a number of sessions they have held since 1994 to talk about the economic impact on landfills in regard to waste reduction and recycling. She added that the MWA, at least in the last six months, said specifically that they felt the solid waste tonnage fee was unreasonable and that they wanted it addressed.

Other Issues

Charlotte Mohr commented that Bettendorf Museum received a LAFA grant from the department and they are so appreciative of the grant. She displayed a newspaper on their recycling program.

Chairperson King mentioned her recent trip to China and the environmental problems there and related that it made her very appreciative of living in America, adding that our nice environment is worth the taxes and assessments we pay.

Terrance Townsend asked to be provided with a list of who received the memo on the LAFA meeting, referred to by Catherine Huggins.

NEXT MEETING DATES

April 21, 1997

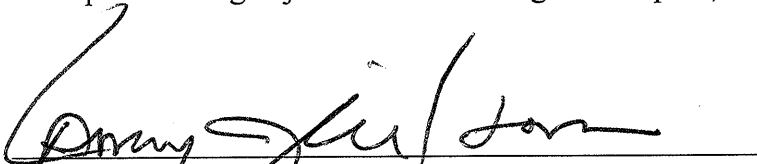
May 19, 1997

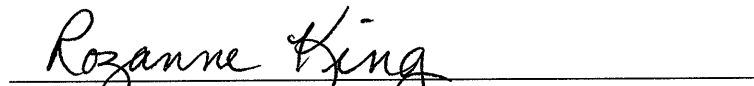
June 16, 1997

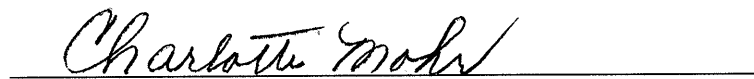
The April meeting will be held in Newton at City Council Chambers, 101 West 4th Street South. The meeting will start at 10:00 a.m. and tour will take place in the afternoon.

ADJOURNMENT

With no further business to come before the Environmental Protection Commission, Chairperson King adjourned the meeting at 2:45 p.m., Monday, March 17, 1997.


Larry J. Wilson, Director


Rozanne King, Chair


Charlotte Mohr, Secretary

INDEX

A

Adjournment, 75

Adoption of Agenda, 1

Air Quality

FY 98 Budget, 54

Program Status Update, 54

Air Quality Amendments--Chapters 22 and 23

Final Rule, 58

Appointment

Berkshire, Mike (Blue Stem LAFA grant), 20

Hall, Tim (Blue Stem LAFA grant), 20

Watchie, Kevin (Scranton Mfg. LAFA grant), 20

Approval of Minutes, 1

B

Berkshire, Mike (Blue Stem LAFA grant), 20

Board of Health Joint Meeting

General Discussion, 73

C

Call to Order, 1

Cole, Rebecca - Public Participation (HF 519 rules), 22

Commissioners Absent, 1

Commissioners Present, 1

Contracts

Food Wastes Data Base, 23

Landfill Alternatives Financial Assistance Program, 15

F

Final Rule

Chapters 20 and 22, Potential to Emit for Emergency Generators, 55

Chapters 22 and 23, Air Quality Amendments, 58

Financial Status Report, 2

Food Wastes Data Base Contract, 23

G

General Discussion

Joint Meeting with Board of Health, 73

Metro Waste Authority (LAFA program/legislation), 74

OTAG Update, 73

Gilbert, Liz - Public Participation (ACCO proposals on HF 519), 22

H

Hall, Tim (Blue Stem LAFA grant), 20

Hele Heley-Lehman, Aaron - Public Participation (ACCO recommendations on HF519), 22

L

Landfill Alternatives Financial Assistance Program

Composting Initiative Applications Selected, 6

Contracts, 15

Legislation

Package

Update, 53

M

Metro Waste Authority

General Discussion (LAFA program/legislation), 74

Miksell, Kermit - Public Participation (large hog confinements), 23

Monthly Reports, 31

N

Nickles, Blaine - Public Participation(HF 519 rules), 21

O

OTAG Update

General Discussion, 73

P

Potential to Emit for Emergency Generators

Chapters 20 and 22

Final Rule, 55

Public Participation

Cole, Rebecca (HF 519 rules), 22

Gilbert, Liz (ACCO proposals on HF 519), 22

Heley-Lehman, Aaron (ACCO recommendations on HF519), 22

Miksell, Kermit (large hog confinements), 23

Nickles, Blaine (HF 519 rules), 21

S

Solid Waste Funding Information - Other

States, 26

W

Watchie, Kevin (Scranton Mfg. LAFA grant), 20